

SCRIPTURE
AND
REASON ^{Feul}

PLEADED
FOR DEFENSIVE ARMES:
OR ^{ag² King's Ec}

The whole Controversie about SUBJECTS
taking up ARMES.

WHEREIN
Besides other Pamphlets, an Answer is punctually directed to
D^r. Fernes Booke, entituled, *Resolving of Conscience*, &c.

The Scriptures alleadged are fully satisfied. The rationall Discourses
are weighed in the ballance of right reason. Matters of fact
concerning the present differences, are examined.

Published by divers Reverend and Learned Divines.

IT is this fourteenth day of *Aprill*, 1643. ordered by the Committee
of the House of COMMONS in *Parliament* concerning Printing,
That this Booke, entituled, *Scripture and Reason pleaded for Defensive
Armes*, be Printed by *John Bellamy* and *Ralph Smith*.

JOHN WHITE.

LONDON,
Printed for *John Bellamy* and *Ralph Smith* at the Signe of the three Golden
Lions neare the Royall-Exchange, M.DC.XLIII.



To the READER.



*I*s a bitter Controversie that our poore sinfull Nation is fallen upon, wherein not onely Armes are engaged against Arms, but Bookes written against Bookes, and Conscience presented against Conscience. In this perplexed condition, What shall the people doe? What shall they resolve? They expect to receive Councell from Divines, who (though it be a mixt Argument) are most likely to settle them. And they have great reason to doe it; for the truth is, The world takes sufficient notice that the Cause, as it now stands, hath many Divines strongly ingaged unto it on either side, and that their Resolutions have had a great Influence upon it, and upon the people.

We know upon Whom Doctor Ferne layes the burthen, When he saith, Many in the simplicity of their hearts have been wrought upon by such as mislead them. But We pleade in the Words of the great Apostle, That our rejoycing is this, that in simplicity and godly sincerity, not with fleshly wisdom, but by the grace of God, we have had our conversation to the world, and more abundantly towards our Congregations: To Whom Wee appeale, and to our Sermons preached among them, Whether Wee have taught any thing, but humble and holy obedience to all just and lawfull authority, sincere love and constant maintenance of the Truth. What is it that We may be suspected of? What Designs may We be thought to carry on? What Interests? What ends? What is it that Wee hold deare unto us, but the Gospell of our Lord, but the soules of our people? Did we make a gaine of them? Did Titus make a gaine of you? Thinke you that wee excuse our selves? Wee speake before God in Christ.

'Tis not a new thing to be challeng'd as Seditious, as Tertullus accused Paul; To be hurtfull unto Kings and Provinces; as Rehum and others wrote against the Jewes: To be setters forth of new Doctrines; as the Epicureens blasphemed that chosen vessel. But our minesse is with God, and in our consciences, and before the people in our preaching, and in our conversation, That we are not the troublers of Israel, That we pray for the Peace of our King, and that we seeke the wellfare of our Nation; and that we teach no new, no other Doctrine, then what the Scriptures confirme, as this Treatise will shew; Then

His Epist.

2 Cor. 1. 12.

2 Cor. 13. 17,
18, 19.

Act. 24. 5.

Ezr. 4. 15.
Act. 17.

To the Reader.

*Iurber, Buzen-
bagus, Iurber,
Tomas, Am-
delfio, Spelati-
nus, Melanctho,
Crutiger, and
divers Lawyers
and State-men,
published a
writing, Anno
1531. to justi-
fie defensive
Armes, &c.
Klames Speech
in Parl. An.
1600.*

*See Remonstr.
Dec 15. 1641.
Votes May 20
Remonstr. May
26 1641.
Declar. July 13
Aug 3.
Aug 15.
Aug 20.
Octob. 22.*

Petitions of

Parl March 26

*May 20. Jun. 17. Jul. 15. Petitions of London, and severall Counties for the Kings returns.
With the LGenerals Petitt. which would not be received, &c.*

*what our King himselfe hath allowed, in his clearing our Brethren of Scot-
land by Proclamation, when they had Covenanted and taken up Armes; then
what our State hath formerly favoured in yeelding ayde to Rochell; Then what
other Churches, Scotland, the French Protestants, the united Provinces, and
great Divines have given suffrage unto. And as for the State of this King-
dome in the very Constitution of it: The Case is yet clearer, King James
himselfe blamed a Bishop for a right-Court-Sermon that hee preached before
Him, and the House of Peeres, That hee had not distinguish'd well betweene a
King at large, and the King of England. And in a manner, even all the
points of the present difference might be answered against the King, by the
King himselfe, in His Majesties Answer to the nineteene Propositions, pag.
17, 18, 19, 20. Which wee desire the Readers seriously againe to peruse, as out
of which a politicall Catechisme might be drawne to instruct the people, just so as wee
have instructed them.*

*To conclude, After the Kingdome hath duely considered the many provoca-
tions it hath had, which will appeare by the Remonstrances, Declarations and
Votes of Parliament; The No-success of other Remedies, as namely frequent
Petitions and Treaties; and hath read this following Discourse with a minde
not prejudiced; We hope that this present Action of Parliament will stand ju-
stified, and our Judgement and Consciences cleare: Especially after this our
Protestation, That wee seeke nothing but the Truth, and to the Truth, if others
can convince us, we are resolved to yeeld.*

SCRIPTVRE AND REASON

PLEADED

For Defensive Armes.

SECT. I.

The Question rightly stated.



He Question which the Doctor hath propounded, as necessary to be scanned is thus exprest [*Whether if any King will not discharge his Trust, but is bent or seduced to subvert Religion, Lawes and Liberties, Subjects may take up Armes and Resist?*] He maintaines the negative, and his principall place of strength is, *Rom. 13. 2. Whosoever resists shall receive to themselves damnation.* This he interprets of resisting the higher power, mentioned *ver. 1.* by which he understands the King or Supream; and the resisting, a resisting by Armes. But it seemes to me, however he make a shew of distinct handling his matter, that he either carelessly, or sophistically confounds things, which ought to have been more distinctly exprest by one that truly desired to have resolved consciences in so weighty a cause, as forbearing to defend Religion, Laws and Liberties, when they are all in danger of subversion. To which purpose, I shall make bold to propound divers considerations towards a better clearing of the true state of the question; and the strength of his proofes for it.

1. It cannot be imagined that a King, who is bent, or seduced to subvert Religion, Lawes and Liberties, meanes to doe this by a meere personall strength; (For which no *Sampson*-like strength would suffice) but by the assistance of others, whether men in office, and trusted with the civill Sword under him, if he can draw them into his designe, or by the souldiery ordinary or extraordinary; and that not in one part of the Kingdome, but in severall parts, as fast as he can get instruments for his turn.

2. Here then will come divers questions belonging to the case. 1. Whether the resisting by Armes, the illegall attempts of an under Officer of Justice; suppose a Major or Sheriffe, though armed with Commission under the Kings hand or seale, be a resisting of the higher power and damnable. 2. Whether the resisting a Captaine of the Souldiery, comming to act any illegall commands with his bands of armed men, though he also have a like Commission from the King; be a resisting of the King, and so forbidden? Both these where the King is not present, but in another part of the Kingdome.

3. It will be further questioned (in case he should grant resistance lawfull thus farr) whether it be lawfull to resist the officers or souldiers of the King, he being besides them, and animating them with his commands to doe violence? I will suppose for the present

the Kings person is and shall be safe, notwithstanding the resistance, or that els the resistance must be forborne. I onely aske, whether his followers commanded by him, standing by to doe murders and rapes may be resisted with armes or not.

4. If he will say that in all these cases resistance may be made; so the Kings Person may be safe. 1. The King may thanke him for the care of his Person, but his Power and Authority is as much impugned by this, as by many that plead for the defence now actually under-taken. 2. The Cavaliers and Followers of the King will thanke him never a whit; For they may all be knocked on the head or starved, and yet the Kings Person be safe. And they would soon desert the cause, if this were beleaved, or would be rooted-out, if this were generally practised; and that is all the Defendants desire, who honour the Kings Person and authority, as much as the Doctor or any of his fellows, not to say more; how ever they resist his Cavaliers.

5. If he will deny resistance where the King is present, because there his commands are certainly knowne to be his, which may be doubted of in remote Countries. Then, 1. So should it have been exprest for cleare understanding, and not coucht in uncertainty. 2. Then all these Cavaliers are justly resisted where the King is not present, which againe if it were believed and practised would soone end the businesse; For even in the next Parish to the King, they might be resisted, though not where he appears and speaks. 3. What if it be doubted whether the King be not forced by threatnings and feare of his life to command so and so. Kings have been prisoners, and have commanded so, and by wise and good Subjects, Castles and Townes have bin kept by force of Armes against such as they bad to assault it, if not yeilded. Our Law supposes, *The King can doe no Wrong*, yet supposes wrong may be done in his name by his followers; If he then command a notoriously wicked thing: The Law will suppose him forced or the like; And then resistance shall be as well lawfull, as if he were absent. Or even necessary to rescue him out of such wicked hands. 4. What if it be doubted, whether a King be bewitched by sorceries? There have bin such things of old, and the Devills power doth not seeme to be lessened now? 5. What if it be doubted, whether the King be distracted? A thing that hath befallen Kings as well as meane men? Are subjects bound from resisting the commands of a bewitched or distracted Person to the ruine of Religion, Lawes, and liberties? still preserving his person safe. 6. Suppose it be certaine he is not forced, nor bewitched, nor distracted: Yet doing as bad as any forced, bewitched or distracted person can possibly doe, by commanding such tyrannicall Acts, what reason can be imagined, why such a command should tie subjects hands from resisting his followers, offering to act his tyranny, more then if he were forced, bewitched or distracted? Is the liberty of his body and mind from those violences, an enslaving of his people to his lawlesse lusts of crueltie and mischief?

6. If he say further, that even his officers or souldiers, if they have his Scale or warrant may not be resisted in the remotest Country. Then besides the former inconveniences, these are to be added, 1. Any that come among ignorant common people may abuse them at their pleasure, if they will but pretend the Kings Scale or Warrant. It hath bin counterfeited for Briefes: How ordinary would it be, if it might not be resisted? How would malicious men murder with it? Robbers spoyle with it, and who could remedy it? 2. By this meanes any that had a designe to depose the King and usurpe the Kingdome, might by a counterfeit Scale and Warrant, kill all the Kings faithfullest Subjects, and strengthen so himselfe and his party, as the King should after have no power to save himselfe. Lawes observed will secure sufficiently from this. And

liberty

liberty to resist illegall violences will appeare to be necessary to the Kings safety, as well as the Subjects. Kings have seldome or never bin murdered or deposed, where Lawes have bin preserved in their vigour: But often where illegall violences have had place, Let this also not be forgotten.

7. Well but thus the case I suppose is understood (if not by the Doctor, yet) by the generall of those that take the Kings part against the Parliament, that neither the King in Person, nor any of his officers or souldiers, that have commission from him may be resisted, because that were to resist the King, which say they all, the Apostle forbids and threatens, *Rom. 13.2*. But here again I blame the Doctors negligent handling of that place upon divers considerations further.

1. Without doubt the first verse is to be regarded, as being the foundation of the second, as appears by the word [*Therefore*] Yet that he hath greatly neglected. Perhaps for feare the scanning of it would doe him an ill turne, as I shall by and by endeavour to shew, by comparing the subjection commanded with the resistance forbidden.

2. In the first verse he doth very ill to reade alwayes (except once by chance, as I thinke) *higher power for higher powers*, and so never to tell us whether the other powers (who are higher in relation to the common-people, though inferiour in relation to the supreme) *S. Peters* governours may be resisted or not? even with Arms. Perhaps this fraudulently also.

3. In the second verse, he is very carelesse to tell us, whether resistance (which is three times in *English*, but there are two Greeke words, the first being different from the second and third) signifie all kind of opposition, though without Armes, to the higher and supreme power at least, but then much more with Arms? Or whether it only signifie resisting with Armes, and no other there forbidden, and made damnable. Yet this a needfull Question, for a conscience to be resolved in, and more ordinarily then about resisting. And so would well have become the Doctors learning and pretended care of Conscience, and even regard of Authority to have discoursed upon. But since he hath not vouchsafed to doe any of these, I shall take the paines to doe it for him, and for the conscientious Readers, as well as I can.

1. The first verse begins, *Πάσα ψυχή κατακύβηται ὑπὸ τοῖς ὑψηλοῦς ἐξουσίαις*. Let every soule be subject to the higher Powers. Here are two questions. 1. What is meant by being subject. 2. What by higher Powers. By being subject is meant yeelding obedience, either active or at least passive, that is doing or forbearing according to command, or submitting to suffering when one do's otherwise. It cannot be denied but both these are parts of subjection, and that so much is commanded by the word *ἐκτασθῆναι* at least in some cases. But the second Question, What is ment by *higher Powers*, will cleare in what cases either of these is required? By the higher powers then is meant all civill legall Authority, which in *St. Peters* phrase is of the King as Supreme, or governour (for these are higher then the people, though lower then the King) but it is to be observed that the word is in the abstract powers, which notes the authority, wherwith the person in authority is legally invested, and not the person in the concrete, least that might be understood of his personall commands without or beyond, or even against his Authority. Which conceit the Apostle doth greatly prevent by using the word *Power*, which he doth also all the while he treats of this matter, except only that once he names Rulers, *v.3*.

2. It is to be observed that the things about which the authority, and so the subjection

on in this place is conversant are civill matters, belonging to the second Table between man and man. Not that I deny Magistrates to have Authority to command things belonging to the first Table, and that subjection is due to them in such commands concerning Religion, so that it be according to the will of God. But I say, that this is to be fetched from other Texts rather then this. My reason is, because the *Roman* Magistrates, of whom properly the Apostle speaks, were so farre now from commanding things for Religion, that they commanded things against Religion, and the first Table; and therefore certainly the active subjection at least here required is limited to civill matters.

3. And now that so much as I have said is required, active Obedience to legall, civill Authority to all Magistrates in their legall commands in civill matters; or at least passive yeelding to the penalty of the Laws, in case of not obeying actively; and neither further then to legall commands of legall Authority, appears by the Apostles reason in this 1. verse. *For there is no power but of God;* which he redoubles in a second phrase, *The powers that be are ordained of God, or under God* *ἡ ἐξουσία ἡ ὀφειμένη ἐκ τοῦ Θεοῦ*. Every soule must be under their order, which is *ἐξουσία*, because they all are ordered by God under him, his deputies and vicegerents in their order and degree, higher and highest. This is true of all powers, and therefore to all must subjection be performed. And to none hath God ordered or ordained any Authority but legall. Which as none will deny (no not the Doctor himselfe) of other Governours besides the supreme: So can none with reason affirme, that any hath more authority then the Laws, whether speciall or generall, written or unwritten, have allotted them. Which Lawes God ratifies (being not against his) and so the Authority according to them. And this our Doctor also confesses (in sense) in more places then one of his Booke, for active Obedience, that no more is due, but according to the Lawes of God, and the established laws of the Land. Only he argues for passive obedience beyond this, every where. 1. Because he argues against resistance even of Tyranny. But in a word to refute this from the Apostles reason in the first verse. If I be bound to be subject to tyranny, (or to suffer violence of a tyrant) by vertue of the commandement here. Then tyranny is the Ordinance of God, or Magistrates have power ordained of God to use tyrannous violence (for thus the Apostle argues for subjection from Gods ordaining the power). But this is false. *Ergo*, so is that, that I should be bound to suffer tyrannous violence.

And now if this be the true and whole meaning of the precept in the first verse, It will not be hard to cleare the meaning of the prohibition and threatening in the second verse, which runnes thus, *ὅστις ἀντιστάται τῇ ἐξουσίᾳ, τῇ τοῦ Θεοῦ διατάξει ἀβυσσὺν οὐκ ἀβυσσῶντες, ἀλλ' οὐκ ἐκείνῃ τῇ κρίσει*. *Whosoever therefore resists (or carries himselfe disorderly against the power, or opposes) the power, resists or sets himselfe against the Ordinance (or order appointed) of God, and they that resist (or so set themselves against man and God both) shall receive to themselves Damnation.* Now here we are to resolve two Questions. 1. What resistance is? 2. Who (or what) may not be resisted? 1. Resistance is contrary to subjection, as *ἀντίστασις* is to *ἐξουσία*, and this also the word [*Therefore*] notes. For it shews that the sin of Resistance is a transgression of the duty of subjection. It is then two-fold, either in not obeying commands, or in not suffering penalties. He that is wilfully, and obstinately disobedient to some commands, is (by the Apostles scope, and by the consent of all interpreters that handle it fully) a Resister, *ἀντιστάτης*, though he never offer to take up Armes, but yeelds to suffer any penalty. A man that refuses to answer at the Law, he shall be outlawed; he that refuses to yeeld possession shall

shall have a Writ of Rebellion out against him; he that refuses to put himselfe upon a legall tryall at his arraignment, shall be pressed to death, as a most obstinate resister of authority, and so in many other cases. Or secondly, Resisting is in not suffering penalties, resisting by force, and even by Armes. This is one kind of resisting, and the worst kind against a lawfull power: but what it is, our second Question is to determine; which againe breakes it selfe into two. What is the power that may not be resisted? and who? In both, the former verse may, and must guide us, as the word power repeated, and the conjunction, *therefore*, and the mention of Gods Ordinance the third time assures us. 1. Then what is the power that may not be resisted? The legall authority of the Magistrate, or the Magistrate legally commanding according to his authority. For as the subjection reaches to this, and no further: So the sinfull resistance extends to this, and is by it limited: because Gods Ordinance hath confirmed all this, and no more. Only upon the change of the phrase, and not saying he that is not subject, but he that resists, the Spirit of God seemes to favour in some cases a simple not obeying, and will not charge that with resisting Gods Ordinance; Namely in such Laws as being of an inferiour nature, may be generally good to be made and kept. Yet to some persons in some cases so extremely inconvenient as the penalty according to man is much rather to be chosen, then the practise of that Law in that case. Now in such a case (as our Divines generally use to say, that obedience may be forborne to many civill Laws, *Extra casum scandalii*) the Holy Ghost seemes to favour (I say) the not obeying, and only charges guilt upon a not submitting to the penalty which is undeniable resisting: But I say againe, that by all the foregoing context, and the reason from Gods Ordinance in the second verse: The prohibition of blaming of resistance, goes no further, then, of legall commands of legall authority. The Doctor will not (doth not) say that the most peremptory, or obstinate refusing to obey actively tyrannous and illegall commands is resistance. By what authority then of the Text or context will he stretch the prohibition to refusing to suffer tyrannous violence? Or how does any resist unlawfully (though by Armes) when unlawfull violence is offered him? which God no where gave authority to use to him, nor ever commanded him to yeeld unto? In a word, till Gods Ordinance can be prov'd allowing tyranny (which can never be) or undeniably ordaining a man to suffer it, which is no where in his word (I meane the extremity of tyranny depriving of life, or so) though often it is so in his providence, when he affords no means of resistance: This Text of the Apostle will no way condemne the resisting by Armes tyrannous and illegall outrageous violences. Besides all that, the context following refuses this fence of the Doctor, as I have already shewed.

But let me not forget my second Question, or branch about resistance. Who may not be resisted? The Text saith, *The power*, any Magistrate acting with lawfull authority legally. The Dr. would restraine it to the supreme, because he thinks it was hard to assert all Governours irresistible though tyrannous. But I say, interpreting resistance aright, as before; and so the Governour or Magistrate may be no more resisted, then a Monarch. And the King is resisted in resisting the meanest Officer. Even high Treason may be committed in taking up Armes with some circumstances against a Magistrate, who is not Supreme. The Laws cannot be obeyed, but by obeying other Governours in the Kings absence (who cannot be every where) and so obstinate disobedience, which is resistance; may be, when only a petty Officer, or Magistrate is present; but commands according to Law. Contrarily in the Doctors interpretation, resistance is not forbidden, neither with reference to the lesser Magistrate, nor to the Supreme as hath bene shewed. And if it were forbidden to resist with Armes a tyrannous King; of

necessity (as hath been shew'd) this would extend to forbid resistance of any that he employes in his tyranny. Or else all the dispute about it would soone be at an end, as was also noted. But if the Doctor say that he includes under the Supreme all that At this Will, and only denies that subordinate Magistrates are within the security of this prohibition of resistance by Armes, if they be tyrannous without any command from the Supreme. I would have him shew me a ground of this distinction upon a Text of Scripture, (which speaking before of all powers, names, the power indefinitely) a ground I say out of Scripture, which himselfe requires in the beginning of his second Section, or religious reason, or else what conscience ought to regard what he saith? If both Governours and Supreme be to be acknowledged Gods Ordinance, and both to be subje^ted to for that cause, as *S. Paul* here, for the Lords sake (as *S. Peter*, *Ephes. 2. 12.*) then either both may be resisted by Armes if tyrannous; or neither? Let him now take his choice, and say what he will, If he saith only the Inferiour may be, then he lookes this Text, which matches them both equally. If he say neither may be; Then besides all that hath been said on the Text and context, I only adde this: That then every meanest Officer (if wicked) may ruine the whole neighbourhood, because he may not be resisted by Armes, who yet will bring Armes to act his villanies. And so the blessed Ordinance of God in Magistracy shall turne to the greatest curse to Mankind (the best and most conscientious of them) that can be imagined, in regard of outward sufferings, and generall confusion. It remains therefore that as the Apostle in the following verses, banishes tyranny out of the context, describing every where a righteous Magistrate, and not a tyrant: So tyranny is to be banisht out of the interpretation of this Text, which allowes him that is a tyrant, no security, that he shall be endured, and not resisted even with Armes. Though it doth (and that most justly and necessarily) secure a just ruling Prince or Magistrate from all resistance, even when he punishes most severely according to Law and justice, upon the heaviest guilt of being found resisters against God (that resist such a rule) and the heaviest penalty of damnation.

SECT. II.

Having clearely stated the Question, I proceed with the Doctor to his second Section, To examine how he maintaines his Negative, That a Magistrate may in no case be resisted; or as he expresseth himselfe, That Conscience cannot find cleare ground to rest upon for making resistance.

His principall place of strength whereon he trusts, is *Rom. 13. 2. Whosoever resists shall receive to themselves damnation.* To which he doth every where referre.

Though (which I wonder at in a Scholler of his acutenesse) without ever offering to Analyse the Verse, or those before and after; which would have a torrid strength and clearnesse to his cause, if there be any to be found for it there.

Therefore my first worke must be to doe that, namely to expound Analytically (but as briefly as may be) so much of the Chapter as concernes subjection to Magistrates; and then Conscience shall judge, whether he hath urged it rightly to the Apostles scope.

The scope of the Apostle (I make bold to say) is properly and meerely in this place to urge Christians to be obedient to the Civill Lawes of the Roman Empire and so of
other

other States, between man and man, and to the Magistrates that had authority and ruled according to those Lawes of what degree soever their authority was.

To this end, 1. He delivers the precept generally in the former part of the 1. Verse, in which are three things.

1. The duty, *Subjection*, which is either Active obedience, or Passive submission in case of not obeying.

2. The Subject, *Every soule*, All Christians of what Rank, Sex, Age, Condition, &c.

3. The Object, in the Abstract, which notes the Legall authority, the *higher powers*, in the plurall number, which our Doctor is pleased to take no notice at all of, but only and every where reads it, the *higher power*, as if it only pointed to the *Roman* Emperour, and so now to our King.

2. He produces a reason for the precept, from Gods authorizing Magistrates and their Lawes, and this is delivered in a double expression.

1. By way of Negation, that any Magistrate can be Named which is not of Gods authorizing, *There is no power but of God*, which undeniably confirms my exposition of the Plurall number, *powers*, to note all sorts and degrees of Magistrates, as doth also, that he repeates it.

2. By way of Affirmation, *the powers that be are ordained of God, or under God*; (as the Dr. notes) which as it speaks of all sorts of Powers, so it adds both a further Amplification and urging Reason, and a tacite limitation of the subjection. The Reason is, they are Gods vicegerents, and Deputies; by him, ordered to governe under him, and therefore to be submitted unto by vertue of his Sovereigne authority, who is absolutely and undeniably the highest power, and Lord over all.

The Limitation is, that it must be only in those things wherein those powers oppose not him, under whom they are and from whom they have their authority, and it is certaine he gives them none to oppose him.

Vers. 2. Thirdly, He urges the precept, by an Applicatory inference, from the Reason premised, denoting the sinne of denying subjection; *Whosoever therefore resists the power resists the Ordinance of God.*]

Wherein note, the Apostle hath altered his first word; and instead of a Negative, which one might have expected, puts now in an Affirmative (*Not whosoever is not subject, but whosoever resists*) wherein he seems to favour (at least in some cases) the Exposition noted before of subjection, and the distinction of Active and Passive Obedience to humane Lawes; and so will not alwayes charge disobedience upon the conscience or soule of a Christian, for the omission, or doing contrary to a humane Law; But only in case of resistance, (that he will neither doe nor suffer) for then he is guilty of resistance of the Ordinance of the authority of God, by and under which these Lawes were made and are urged.

Fourthly, He urges it againe by a threatning of Gods displeasure against such, interred from the sinne of their resistance. *And they that resist shall receive to themselves damnation.*

The word is *Κρίσις*, which properly signifies *Judgement*, *Κατάκριμα*, is properly *Damnation*.

But if the resistance be obdinate, and a wilfull persisting in it, I doubt not, but the full sense of *Κατάκριμα* *Damnation*, belongs to such resisting, and resisters of Lawes even humane (which are not opposite to Gods), and resisters of Magistrates urging obedience according to those Lawes.

Vers. 3. Fifthly, By the present and continued benefit of such authority and Magistracy,

and

and Lawes. Which is delivered againe both negatively and affirmatively. *For Rulers are not a terrour to good works but to evil.*] wherein he both prevents an Objection, and asserts an advantage.

He prevents the Objection (that this authority was a wrong to our liberty) which he denies, so long as our liberty is only used to doe well, and practice good works.

And on the other side, there was an advantage to those that did well; because evil works were terrified by Rulers.

Where also note, that he hath changed the Abstract, *Powers*, into the Concret, *Rulers*, to imply, that subjection is due and resistance forbidden, no farther to Rulers (or no longer for the *terrore*, then they exercise their lawfull power, and are not a terrour to good works but to evil; For their power makes them not (nor allows them) to be a terrour to good works.

Sixty, He urges it by a second Application of the benefit, and securing from feare of danger if men will obey.— *Wilt not thou then be afraid of the power? Doe well and thou shalt have praise, &c.*]

Where againe he repeats the word *Power* (as preventing an Objection, That Rulers might abuse their power.) Noting, that he still meanes of the power rightly used, according to the nature of it; whence will come praise to them that doe well, according to the Lawes.

Ver. 4. Seventhly, By a Confirmation of the Application: From Gods end in authorizing Lawes and Magistrates, *He is the Minister of God to thee for good.*]

It is for thy benefit, that God hath deputed Magistrates; where his authority is the fourth time mentioned, and thou art both against God and thy own good, if thou yeild not obedience Active, or at least Passive.

Eighty, By a third Application of threatening against disobedience, either Negative, or especially Positive, which is resisting. *He beares not the Sword in vaine, &c.*] Where is intimated, that he may punish even capitally some disobediences and resistance. And againe the fifth time Gods authorizing him is asserted and applied, to this power of punishment. That he executes Gods wrath temporally; God is angry with disobedience, and requires his Vicegerents to punish them, even by the Sword, if the offences merit it according to the Lawes, and so with other punishment.

Ver. 4. 5. Ninethly, By a reinforcement of the Precept, under the terme of Necessity of Conscience, which is but an Explication of the not resisting the Ordinance of God. Where also the Apostle prevents an Objection; as if he only had before advised them to obey or not resist, to save themselves from the Magistrates wrath; For it is Gods wrath also upon the Conscience, and so the Conscience is bound, though you could find a way to escape temporall wrath.

V. 6. Tenthly, It is urged by a Parallel of respect usually paid to Magistrates, *Tributes*, the due whereof is also urged, because Magistrates devote themselves to the publick good, and so must be maintained upon the publick stock, and if maintained, then much more obeyed and subjection yeilded to them.

Ver. 7. 11. Finally by an universall requiring, to yeeld to all their dues, where he asserts, that he requires no other subjection, and so forbids no other resistance, then what the Law requires as due, or forbids as undue: because obedience Active or Passive was due by the Laws.

This is in summe the Apostles scope and Argumentation.

And now let us more particularly consider whither the clause, threatening resistance with damnation (or ought else in the whole context) doe fight against such resistance

as the Doctor oppugnes? or rather of the two may seeme to fight against him, and justify such resistance if not otherwise vitiated.

To which purpose let us proceed by these Considerations.

First, That whatsoever resistance is here forbidden and threatned, relates to inferior Magistrates as farre as their authority reaches according to laws, as well as supreme Magistrates.

I may no more resist a Constable commanding me, or arresting me, or distraining my goods according to Law, then I may doe the King commanding me, &c.

Yet the Doctor takes no notice of this at all. But as if it were, not only the *higher power*, in the singular number, but the Highest in the Superlative degree; He restraines all to the King, which is a dangerous fallacy, not only in the present Question, but against all government.

To which I adde, to refuse to be subject to the *Parliament* according to Lawes, and to resist is much more (by this Scripture) undeniably a resisting the ordinance of God, and brings damnation.

And what then will he say to those that have done so too, and against the *Parliament*, and those sent by their authority unquestionable.

2. Secondly, That Prohibition of Resistance cannot be meant here, which is wholly contrary to the Apostles reasons following, which perswade to Subjection and not Resistance. Or that Assertion, or Interpretation, is not according to the Apostles scope, which is formally opposite to his Arguments afterward.

But such is the Doctors Interpretation and Assertion, *Ergo*, His Assertion and Interpretation is, that Subjects may not resist a Prince, who is bent to subvert Religion, Lawes and Liberties.

The Apostles Reasons against Resisters are.

1. *For Rulers are not a terrour to good Workes, but to evil.*

Now is this a reason why I may not resist such a Tyrant?

Who can be more a terrour to good workes, and not to evil then he that is bent to subvert Religion, Lawes and Liberties? *Ergo* of such a Resistance of a tyrant the Apostle speaks not. But of Resistance of that Ruler, who go's altogether according to Lawes and Liberties, which is justly punishable with Damnation without Gain-saying.

2. A second Reason or enforcement of the Apostles argument against Resistance is, *Wilt thou then not be afraid of the power. Doe that which is good and thou shalt have praise of the same.* Now doth this argue a Tyrant is not to be resisted? Is there no cause of feare of him (while a man do's that which is good) that is bent to subvert Religion, Lawes and Liberties? Or shall a man have praise in doing good, of such a Tyrant.

Therefore is not a Tyrant that power which may not be resisted. But he that stands to the Lawes, and Rules according to them, Damnation is just against those that resist him without question.

3. Thirdly, The Apostle proceeds, *vers. 4. For he is the Minister of God to thee for good* (and so not to be resisted without resisting the Ordinance of God, and so incurring damnation) But is this true of a Tyrant bent to subvert Religion, Laws, and Liberties? Is he the Minister of God to thee for good? Or the Minister of his owne lusts rather, for evil? Resistance of such an one then, is not the Resistance the Apostle forbids, but of one who is the conservatour of Religion, for he, and he only is the Minister of God to thee for good, and worthy is he of Damnation that resists such an one.

4. The Apostle adds, *If thou doe that which is evil feare, for he beareth not the Sword in vaine: For he is the Minister of God, a Revenger to execute wrath upon him that doth evil.*

Is this man a Tyrant, bent to subvert Religion, Lawes and Liberties, or most directly opposite to Tyranny.

A Tyrant secures those that do evil (so they will joyn with him and serve him in his Tyranny) from feare. And he beares the Sword, not only in vaine, in reference to any good end intended by Gods ordinance, but altogether contrary to it; and is so far from being the Minister of God, that he is (as before) a Minister of his owne lusts, to shelter those that doe evil, and to pursue with all wrath, and revenge him that doth good, and will not be a slave to his lawles designs and desires. Still then of such a Tyrant *S. Paul* argues, not that he may not be resisted: but him that he describes, which is a just Governour, and so upon no terms to be resisted.

5. Upon all this the Apostle resumes: *Wherefore you must of necessity be subject, not only for wrath, but also for Conscience sake.*

What rules of conscience (before laid, infer'd now by the word, *wherefore*) urge such an Alinine or stupid subject, as to be subject even passively, and not to resist one that is bent to subvert Religion, Lawes and Liberties, when all that went before speake expressly of another power and Rulers of another temper?

A man then for feare of wrath, not being able to make good his Resistance, may yeeld such passive subjection, but sure conscience (at least not in this place) urges him not to it.

6. Yet the Apostle goes-on: *For this cause also pay you Tribute, for they are Gods Ministers continually attending on this very thing.*

For what cause? Because they may attempt to subvert Religion, Laws and Liberties? Doe we pay Tribute for this cause, that they plunder and change Lawes, &c. Or that they may defend them? Also upon what thing are they thus Gods Ministers to attend continually? Is it to subvert Lawes, &c. Or to preserve them? The Apostle then speaks not of a Tyrant, but a just ruling Prince, and pity but he should be damn'd that resists him.

7. Finally, he concludes this matter with saying, *Render to all their due.* By what Law of God or man may a Tyrant subvert Religion, Laws and Liberties, or even be let alone in so doing.

I am sure the Apostle hath not express any such thing hitherto. It is *Ergo*, but the Doctors mistake, though I confesse it hath beene many wise and good mens before him, that the Apostle forbids resisting such a Tyrant, which as I said above, all his Reasons go rather quite contrary unto, as describing the Power and Ruler that is to be subjected to, and not resisted, altogether crosse to Tyranny, and his Interpretation and Assertion is altogether crosse to the Apostles.

Having set the understanding of the maine Text right, I come now to those examples that are alleadged to proove, That it is lawfull to resist in some cases.

1. The example of the peoples resisting *Sauls* illegall and tyrannicall attempt to have put *Jonathan* to death without cause.

If this were lawfull in them in a particular mans case (against whom also there was some seemig cause) How much more to resist one that is bent to subvert Religion, Laws and Liberties, and so to take away the life of many at his own pleasure.

To this is answered, not, that it was unlawfull in the people to make this resistance (which yet if he deny not, he plainly yeelds his cause in his first Proposition, and *Rom.* 13.2. forbids not all Resistance) but only that the people drew not into Armes themselves, but being there at *Sauls* command did by a loving violence and importunity hinder the execution of a particular and passionate unlawfull command.

To this I reply.

1. If it were lawfull now; what hinders but they might have come together to prevent such a mischief as *Jonathans* unjust Death? Sure *Saul* called them not together to resist himselfe in any thing. Neither did his calling them together to fight against the *Philistines* authorize them to fight against him, if it were not lawfull of it selfe.

Our King call'd the Parliament together, yet he allowes not them to resist upon that pretence, though they are undeniably, not the great Councell only, but the great Court of Judicature in the Kingdome.

This peece then of his Answer is nothing but words and pretence.

2. As for his loving violence and importunity wherewith he would blanch their Resistance.

Grant they shewed a love to *Saul*, because *Jonathan* was *Sauls* sonne. But had *Saul* counted him his Enemy, (as he did *David* afterward) It would have founded harsh violence, and out-ragious enough, and it was plainly a great deale beyond a loving violence. For *Saul* swore his death, and they swore his l.f.; that not a haire of him should, &c.

This was Resistance then with an Oath, as it were, to make *Saul* forsworne.

After this Example then our people may sweare an Association, that not one of the Parliament shall be put to death (unless proved guilty according to Law) notwithstanding any Proclamation of them to be Traitors, or condemning them to death illegally.

3. And thirdly, as it cannot be thought, but if *Saul* had further attempted by himselfe, or any of his followers to assault *Jonathan*, the people would have actively resisted him and them even with armes in *Jonathans* defence.

The second Example is *Dauids* resisting of *Saul*, sc. by gathering a band of 600. men, and offering to have kept *Keilah* against *Saul*, but that God told him the *Keilites* would have betrayed him.

That he sin'd not in it appeares.

1. By his owne pleading his innocence even to God in his Prayers and Psalmes, as farr as concern'd the busines between him and *Saul*.

2. Himself after this pleades it to *Saul*, 1 *Sam.* 24 & 26. and calls God to witnes that he had not transgressed at all against him.

3. God himselfe discharged *David* from all notorious sinne, excepting the matter of *Urijah*, 1 *Kin.* 1.5.

Now had not his Resistance been lawfull, it had been most notorious Rebellion and Treason.

4. Fourthly, even our Doctor condemns it not, and therefore, all resistance is not unlawfull, much lesse damnable, as he often thunders.

But this Example sticks with him, and therefore he makes a four-fold answer.

1. *Dauids* guard that he had about him was only to secure his person against the cut-throats of *Saul*, if sent to take away his life.

Reply. But this could not have bin done without killing divers of them, if they had assaulted him, which had then bin no murther, but a just defence and execution of Justice. So far himself grants lawfull.

2. But he sayes it was a meer defence without any violence offer'd to *Saul*. Therefore he still gave place as *Saul* pursued, and did no act of hostility to him, or any of his Army, when they were in his power, 1 *Sam.* 26.

Reply. He was not strong enough to encounter *Saul* in the field, who had divers thousands (3000 mentioned 1 *Sam.* 1.) against his 600. Wisdom bids him fly as long as he could, rather then fight.

2. Conscience forbids him to kill *Saul*: so I grant it doth any Subject, though having the King at any such advantage. But that he hurt none of his followers, 1 *Sam.* 26. was again an act of wisdom; and we need not goe to conscience for a reason of it. He had only one man with him, *Abishai*, and had he offered to kill any of the Army, how soone might this in all likelihood have wakened the rest, and so he had endangered his own life to little purpose. For he could not in probability have killed many, and what had that done to his cause and defence after ward.

Yet also, I hold not that in cold blood, one or many that are upon the defensive, may lawfully kill sleeping enemies, or such waking farther then appears, at least in some sort necessary, or much advantageous to the defence, and prejudiciall to the opposites. But if killing, as many as *David* could have kill'd that night, himselfe and *Abishai* would have given hopes of ending *Sauls* pursuit of him, and have made peace; I doubt not, but he would and might have done it, as well as keep *Keilah* against him.

But this intent of *David*s is denied; For,

3. The Doctor saith, It is only an uncertaine supposition, not fit to ground conscience in this great point of resistance.

Repl: The Text declares it as certainly as may be, unlesse it had said so in undeniable termes.

For, 1. *David* contents not himselfe to aske God whether *Saul* would come down, but what the *Keilites* would doe.

To what end that, but that he meant to stay, if they would stand to him.

2. When God answers him only about *Sauls* coming, he askes the second time, which shewes clearly his mind ran upon staying there.

3. When God told him they would betray him, the Text then saith, *he and his men went whether they could goe*, which shewes they were now disappointed of their purposes and hopes of staying there, and must now shift for themselves where they could.

When none of this will elude this example of *David*s resistance, the Dr. adds a fourth Answer which will strike it dead.

4. To this and all other demeanours of *David* in his standing out against *Saul*. We say his example was extraordinary; for he was designed and anointed by the Lord to succeed *Saul*; therefore he might use an extraordinary way for safe-guarding his person.

Repl: But in these few words there seeme to be many errors and inconvenient expressions.

Doth he not imitate those that to illude *David*s reason, why he durst not kill *Saul*, say *Saul* was extraordinarily anointed and designed King by God, and so upon him violent hands might not be laid, but this holds not for other Kings elective or successive by humane Laws.

I do not for my part thinke their shift sufficient, but beleve it utterly unlawfull, even because

because this is asserted by *David* (in reference to the office of *Saul*, as I believe) being written for our learning, to teach us how to carry our selves towards all sovereign Princes.

But I say if he wil clude *David's* act of resistance, he encourages them in cluding his forbearance. Let him consider it.

2. Is not what he speaks of a successour dangerous to his own Position? for if *David's* right of succession authorized him at all to resist, may not a successour plead the like authority, if in danger, which yet he will not grant, unless he mean to overthrow his own assertion.

3. It seemes to me a strange way of answering Scripture examples (unless upon stronger necessity then any thing the Doctor hath alleadged, as will appeare by the scanning of all his Arguments and Texts against resistance) that such a thing was extraordinary, when no such thing can be gathered out of the Text.

I know many men have this faculty of interpreting, who yet will not suffer it against their owne assertions; but with me (except in undoubted failings or duties) The ancient Rule holds good, *Praxis sanctorum est interpret Præceptorum*. *David* did thus against *Saul's* violence, therefore this is not contrary to, but an Interpretation of the honour due by the 5^t. Commandement.

4. It is so farr from being good which the Doctor saith, that contrarily *David's* Union, ought rather to have strengthened his faith; not to have used a way of defence; which in another had been (by the Doctors saying) rebellious and damnable.

What a disparagement is this to Faith, and even to Gods Honour, that his annointed shall be safeguarded so long together only by a way, which in all others is abominable? (*credat Judæus non ego*. *David's* Faith then and Gods Honour in his preservation, proves the meanes both lawfull and ordinary.

And if so, then much more is it lawfull for many persons, and most of all for a *State-Representative* in this manner to defend themselves and resist.

A third Example alleadged by the Doctor, is the *Priests* resisting the Kings attempt upon their office and Gods worship, 2 *Chron*. 26. And after thrusting him out of the Temple, when God had smitten him with Leprosie for it.

I for my part put no great weight on the former. But their thrusting him out of the Temple is somewhat towards a hinderance even by force, of a Prince if he persist to violate Gods undoubted ordinances, as it had been to have staid in the Temple being leproous, added to the sinne of his going in at all, and presumption to offer Incense. But such a case is hardly supposable among us.

Only I adde, that I wonder the Doctor offers to say; God by smiting him with Leprosie, discharged him of his Kingdom.

The Story implyes no such thing, but only that he dwelt in a severall house, and *Fortham* his sonne judged the people of the Land. The Law allowed not any to come neare to such or touch them, and what they touched, without being uncleane, therefore he could not sit in publike Judicature, but his sonne did it for him, yet for all that he remained King till his death, and probably did give out divers Orders, which might be done by means of those that must needs minister to him.

But if the Doctor say right, may not an untoward Inference be made, that if a King should attempt to violate Gods ordinance and worship in any thing, and God should visibly strike him with some loathsome Judgement, this should discharge him of his Kingdom, which is more then ever the Parliament said, or so much as thought, as they call God to witnesse.

A fourth Example is *Elisba's* shutting the doore against the Kings Messenger that came.

came to take away his head. This example the Doctor saith speakes little.

Reply. But as little as it speakes it forces him to speake that, which if he will stand to, I doe not much doubt, but I shall make any unpartiall man (perhaps even the Doctor himselfe) to say his cause is lost in reference to his first Proposition.

Hearc his own words,

"Let us thence take occasion to say, that personall defence is lawfull against the suddain and illegall attempts of such, even of the King himselfe, thus farre to ward his blows, to hold his hands, and the like.

I Reply 1. Then is not all resistance unlawfull and damnable, if against suddain, he may much more against deliberate intended illegall violence.

And his distinction of personall defence, &c. will not satisfie conscience by his owne words in the beginning of this Section. If Ro. 13. 2. be to be interpreted his way, because every distinction and limit of any place in Scripture must have it's ground in Scripture. What ground hath this in Scripture in his way, either here or elsewhere, specially when he will not allow the Parliament to beleve any intention to take away any of their heads, notwithstanding all words and preparations against them without the spirit of *Elisba*.

But heare him further,

"Not to endanger his Person this, nor return blows; this is not lawfull he saith.

Reply. I am not willing to oppose him in these Assertions, though the case may be so hard, as a man must loose his life, if he will meerly defend himselfe, and in no sort offend.

But specially a woman must loose her chastity (in which case, and principally the latter) let the Doctor answer what is to be done, and whether no blows may be returned.

But that the Princes person may not be willingly assaulted, the speech of *David* forenoted is that which concludes me, and not at all the D. argument. He saith the whole common-wealth is concern'd in his person, and that a particular nature will yeeld to the universall.

Rep. But he argues fallaciously, the whole is concern'd somewhat in the Princes person, but not so as that it perishes, if he die or be kil'd. Which is often, and no harme, no visible chang, but that he is missing. Whereas the yeelding of a particular nature to the universall, is to keep that from dissolution & perishing, as the Naturalists say, & no other wise.

But that which follows is yet better. Thus he objects for us against himself [if this be drawn from personall Defence to the publike resistance now used, as they usually make the Argument thus: If the body naturall, then the body politicke may defend it selfe: If a private person, much more the whole State may, and they do but shut up the way against the King, that comes to destroy his Parliament, and take away their heads] then he answers two things.

1. As the naturall body defends it self against an outward force; but strives not by a schisme or contention within it self. So may the body politick against an outward power, but not (as now) by one part of it set against the head, and another part of the same body, for that tends to the dissolution of the Whole.

Rep: But by his leave he abuses the similitude between a naturall and a politick body; and perverts the state both of the Question and the example in hand, and withall runs into more absurdities then one in his own way, as I shall now shew him.

1. The naturall body can do nothing but by the guidance of the head, that is of the soul residing in the head, and imploying the senses and faculties placed in the head to that purpose. But a body politicke, is a company of reasonable men, whose actions may be

be divided from their politick head, and yet be rationall and regular, and when the particular politicke head is distracted, or while an Infant, it can and doth order it self within him, and so it doth and must doe, when the politick head is bent to subvert Religion, Lawes and Liberties, because the subversion of these, (and not the opposition or resisting of those that would subvert them) would be the dissolution of the whole. But so would not be the very death of the politicke head, (though, as I said before, it is unlawfull to attempt it) Whereas the death of the naturall head, is certainly the dissolution of the whole naturall body.

2. As the naturall body may defend it selfe against outward force, so against the malignity of any disease, or paine in any member of the body, even resent in the very head, and so the hand may pull out a tooth, even for the painfullnesse of it, though seated in the head, and perhaps one eye for some disease, thereby to save the other; and lance and cut the flesh, and even cut-off a limme, legg and arme, to stopp a Gangrene; yet is this no making of a schisme, or unnaturall contention within it selfe.

3. He hath granted it to single persons; but denies it to the whole body, or a considerable part together.

Reply: Then belike if six or twenty or a hundred single persons be assaulted illegally, by a like number of single persons (suppose in their severall houses in the same Towne), they may shut the doores and defend themselves, and even any of them hold the very Kings hand and ward his blowes. But if they happen to be all in a body together in the market place, and be assaulted by such a number, or a quarter so many, they must not offer to resist, but let them cut all their throates, because forsooth in the body politicke, one part must not be set against the head, and another part of the Whole.

4. He grants the body politicke may defend it self against an outward force, but not (as now) one part, &c.

Reply: Then belike if the King imploy *Danes* or *Irish* against the *Parliament* and Kingdome, they may resist them (and is not the case so now, at least in part) but not if he imploy only *English-Cavaliers*. Surely the mighty wits of the Earle of *Strafford*, who was condemned mainly for counselling to bring in nine thousand *Irish* to reduce this Kingdome, wanted our Doctor to have advised him to forsake that designe, and only Arme *English*, and then the peoples hands and consciences should have been tyed from resisting by the Doctors and his fellow-Chaplaines Divinity, and must have yeilded Religion, Lawes and Liberties, and neckes too, for feare of dissolving the whole politick body, by defence.

5. When the state of the Question by himselfe set, is, when a Prince is bent to subvert Religion, Lawes, and Liberties. What dissolution of the Whole can be feared by defence and resistance against such intentions, worse then that or so bad? While therefore he talkes of such defence, tending to the dissolution of the Whole, he perverts the Question, or else forgets, that the subverting of Religion, Laws, and Liberties, cannot be accounted lesse then a dissolution of the whole politicke body.

6. I say therefore by an Argument *a priori* (retorting his words upon himself). If a private person may defend himselfe against illegal Assaults of the Kings Messenger (or even of himselfe, as before) then much more the representative Body of a State, and even any considerable part of the Body (with them, or) even without them, to save Religion, Lawes and Liberties against an intent to subvert them. And if against outward forraigne Force, then much more against homebred, unnaturall Members,

Members, who exceed (rather then come short of) any outward Force in rage and cruelty, tending to the subversion of the Whole, and all such unnaturall and gangren'd members are justly and necessarily cut-off for the safety of the whole, though their cutting off cannot be without a maime and lameness, at least for the present. I say for the present, for new members will grow up in the polittickebody in time, though never in the body naturall.

2. He hath yet another Answer for us in these words, [Personall Defence may be without all offence, doth not strike at the order and power that is over us, as generall resistance by Armes doth, which cannot be without many unjust violences, and doth immediately strike at that order which is the life of the Common-wealth. And this makes a large difference 'twixt *Elisha's* shutting the doore against this Messenger, and their shutting up the way against the King by armed men.]

Repl: 1. If some personall defence may be without all offence, yet not all. And he at least seems to have yielded all personall defence lawfull, so the Kings person may not be violated.

2. Whose fault it is originally, that generall resistance by Armes, cannot be without offence? Are the Plunderers not in fault; but the defenders must be counted guilty? And whose hand is it that strikes immediately at the order, which is the life (as he saith) of the Common-wealth? The defendants of Religion, Laws, and Liberties? Or theirs who intend and attempt to subvert them all?

3. How doth personall Defence, if offensive to the Messengers assaulting, strike lesse at the power over us, then generall or common defence doth? Or rather neither doth, since the power over us (as intended and ordained both by *God* and *man*) is for the preserving and defending, not subverting Religion, Laws and Liberties; and so defends the true power, strikes not at it.

4. If generall Defence cannot be without many unjust violences, no more is any warre at all, in a forraigne Country (*de facto*.) But as the impossibility to restrain these wholly, do's not make all wars unlawfull, so much lesse doth it a necessary defence, in case of such danger to Religion, Laws and Liberties.

5. Whose fault is it, that these unjust violences cannot be avoided, the Assaylants or the defendants? Let *God* (and conscience) be Judge. To Him we feare not to appeale; and while the conscientious Defendants labour as much as morally they can to prevent and rectifie all such unjust violences, whether the danger of some acting them, who must be employed in the defence; altogether forbids the generall defence, to the utter subversion of Religion, Laws and Liberties.

6. And this indeed makes a large difference between *Elisha's* case and ours. He defended but one against a sudden passionate command. He pleades against malicious deliberate intents for defence of many, the generall, of all faithfull Prophets, Magistrates, Princes and all, with Laws and Liberties for all posterity. Let Heaven and Earth judge, who is the wrong-doer, and whether the defendants may not as Innocents call for justice, as well as *David* against *Saul*, *1 Sam.* 24. & 26. (*vide locum*.)

As for the *Parliaments* power to conclude of the Kings intentions without the Spirit (Propheticke) of *Elisha* (I wonder we had not here also, that *Elisha* defended himself by an extraordinary way, being an extraordinary person, as well as *David* before) that belongs to the third Proposition, handled in his third Section, thither I refer it. Only saying that since the printing of the Doctors book some bloud hath bin shed by the Kings Counsell of war at *Reading* in a pretended legality: So at *Oxford* some others have lately been condemned with pretence of Law, and what shall become of them, who knows whether

whether they will put them to death, *in terrorem* to others? Or reserve them for feare some of their party should be served with the same sawce?

Finally, whereas he saith, the King desires not any punishment should be inflicted on any that oppose him, then what a legall tryall shall adjudge them to, which no good Subject ought to decline.

Repl. This were credible, if we were assured what is meant by a legall tryall, and that it did signifie, not a tryall by such Judges and Juries, as are apparently partiall: or if we could forget that the six Members accused of High-Treason in *January* last, offered themselves to be tryed, and the *Parliament* offered to try them in *Parliament*, according to their Priviledges, being Members of their Houses, and from thence forth the Accusation was laid a sleepe (till of late) notwithstanding the reiterated importunities of both Houses of *Parliament*, who also in one of their *Declarations* or *Petitions* to the King, urged 2 Statutes, how such accusations ought to be managed and conclude to this effect, that by Law and Justice this ought not to be denied.

And thus I have vindicated the Examples of Scripture by the Doctor alleadged for us, and from thence, and from his owne words partly, the Question in hand between us, as farre as concernes the first Proposition. I am now to proceed to his owne allegations against us: In which he is so confident, as he promises, [*That Scripture excludes this and all other exceptions, giving no allowance to resistance, in regard of persons or causes, or other pretences* (how true this is, let what hath been said already be judge) and this not only by Examples, but by Precepts, Conclusions, Resolutions, which are more safe. These we are now to examine.

First, his Allegation of the 250 Princes, gathering the people against *Moses* and *Aaron*; Himself satisfies, that there was no cause for it, *Moses* and *Aaron* did not deserve it. [I add, they had done nothing, but what appeared to be the formall will of God, whose cloud and pillar was by day and night over their heads, and whose many miracles had continually ratified the authority of *Moses* and *Aaron*, *Moses* his very face by a continued miracle was sufficient to have dazeled them, if he had pul'd off his vaile.] But to this he answers, The *Princes* supposed they did deserve it, and that is now enough it seems, to make people, not only say to their Princes, *I see take too much upon you*, but therefore to rise in Armes also. Which I hope will appeare to be without cause too in the end of this Treatise.

Repl. 1. I have shewed there was not the least ground for them to suppose ill of *Moses*, but all contrary.

2. Because a false supposall allowes not a man to doe such or such a thing, shall this forbid that action, where the supposall is true and certaine? By this all warre should be unlawfull, for upon a false supposall it is. Also all Justice should be injustice and unlawfull: for upon a false supposall it is so. We never said nor thought, That uncertain supposalls suffice to arme against a Prince; but at least such as rules of reason and prudence allow in all cases of importance. And whether there be now any such; As he refers, so doe I to the end of the Treatise.

Secondly, he urges, 1 *Sam.* 8. 11. Namely, that God by *Samuell* tels *Israel*, that if they would needs have a King, he should take away their goods, and make their children servants, and then they should cry to God, because of their King, but he would not heare them, which implies they should be left without all remedy against his oppression, but only crying to the Lord.

To this divers Answers may and must be given. *Ans.* 1. Though this be further urged by some to authorize Kings to take their Subjects goods at their pleasure, yet doubtlesse

leſſe the Kings of *Iſrael* never tooke it ſo; For *Ahab* and *Jezebel* were not ſo unſkillfull in the right of Kings, that they would have had *Naboth* put to death by *false witneſſes* for blaſphemy, that ſo his *vineyard* might come to the King by confiscation; if by a plaine Law of God at the founding of the Monarchy, he might have taken the vineyard at his will, as the Text *1 Sam. 8. 13.* mentions his taking of vineyards even to give to his ſervants, and much more for his own uſe. But *Ahab* and *Jezebel* both, though they wanted neither wit nor ſtomack to advance that *Prerogative*, were it ſeemes novices in both to our Moderne Advocates for Monarchy; or rather it is certain *Samuell* tells them what their King would do, and not what he ſhould do by right. His words are Prophecies not Laws.

2. Neither are the latter words of their crying to God, and his not hearing them, in forme of a Law and Prohibition (or at the moſt but a Prohibition of attempting or thinking to have the government altered againe from Kings to Judges; but a prediction by way of puniſhment, what ſhould befall them for their unſully impetuous affecting and asking a King, that they ſhould feele him oppreſſing them, and that God would never remove the burden, as long as that King (whom they ſhould firſt have) ſhould live, Nor yet alter the government againe from Kings to Judges, though they ſhould be never ſo weary of the one or other; and pray never ſo much to him for either or both. And indeed the event verifies this interpretation, in both reſpects. For *Saul* proved tyrant enough; and particularly in taking their ſons from them, as it is threatned, *1 Sam. 8. 11, 12. &c.* ſo recorded *Cap. 14. 5 1.* But ſpecially his tyranny was moſt prodigious in the Maſſacre of the Priests fore-mentioned: And ſo did many of his ſucceſſours; after they had a King once, they never were under any other government altogether. For though they had no Kings of their owne from the *Babylonish Captivity*, till the *Maccabees* time, yet were they under ſtrange Kings (which was worſe) the *Babylonians* and *Persians* (of which after their returne from captivity, ſee their heavy complaint, *Neh. 9.*) and after them the *Grecians* and the Kings of *Syria* and *Egypt*, and then a while the *Maccabees* race poſſeſt the Kingdome till the *Romans* ſubdued them, and ſet up *Herod* and his race under the Emperour, who was indeed their King from thence forth (the high Prielt calls *Cæſar* their King, *Joh. 19. 15.* and ſo doth the Prophet *Zach. 11. 6.*) till *Veſpaſian* and *Titus* deſtroyed their Common-wealth.

3. This Prediction then of ſuch puniſhment to them by their Kings oppreſſing of them, cannot be a Law or puniſhment intended to other Nations being under a King, who have not provoked God in ſeeking a King as *Iſrael* had. God threatned and impoſed on the *Jews* and other Nations in *Nebuchadnezzars* time their putting their necke under his yoke, though he was not their hereditary Prince, but an invading enemy. From whence no man will gather (I hope) that any Nation are bound to yeeld to a forraigne Enemy invading them. Alſo God threatned that the *Jews* ſhould be carried captives into other Countries, and there they ſhould ſerve other gods, wood and ſtone, &c. where he would not ſhew them any favour; I am ſure no man will argue from hence, that this is a law for other captives to ſubmit to (or was any excuſe to them, much leſſe a law) but a meere puniſhment to them, and warning to other, leaſt in them alſo ſin be puniſhed with ſin, which is the ſoreſt puniſhment of all.

4. This place then being ſuch a prediction of puniſhment doth not prove ſo much, as that to them it was unlawfull to defend their very goods againſt their Kings tyranny, but that (at the moſt) it ſhould be vaine to them; becauſe if God would not heare their cry, their defence would be to little purpoſe, and what they might ſave at one time would be gotten from them at another, when their King ſhould liſt to attempt it.

5. After

Jer. 17. 3.
&c.

Jer. 16. 1. &c.

5. After all, this Text (let the utmost be made of it that can be) reaches not to the first and maine Proposition of defending life. Or the second of chastity : but still the defence of those remaine lawfull and warrantable, though also so doth the defence of goods (as may appeare by what hath bin said) whereas the King is not an absolute Monarch. The absolutenesse whereof is indeed (as hath bin fore-noted) in power over goods, but not at all over the chastity of any, nor so much as over their lives, further then they offend known Laws.

Thirdly, He says, we have not only example, but resolution and conclusion out of Scripture, That the people might not be gathered together, either for civill Assemblies, or for warr, but by his command that had the power of the Trumpet, that is the supream, as *Moses was, Num. 10.*

Rep. The Text puts in no such restraint, no restraint at all, but only that the Trumpet should blow for such and such occasions, and where it did blow, they should assemble. I grant, while the supream (and those under him) do their duties, there may be no Assemblies, but by their Authority, Laws and commands ; but when they neglect it, and will not discharge their trust ; much more when they abuse it, to destroy those, by and for whom they are trusted ; This Text hath neither word nor intimation, forbidding the people to assemble, even for warr. Himsele granted not long since, That the body politicke might defend it selfe against an outward force. Suppose a Fleet of *Spaniards, or Danes or Irish,* invaded our Coast : The Prince and all his Officers, are ignorant or neglectfull, or even consenting. Shall the people not assemble for defence, because the Prince blows not the Trumpet? Or a band of high-way-robbers set upon a village, and the Constable and Officers are secretly confederate with them : May not the village without their officers, and the neighbour villages also run together, as to quench a common fire? We use to say, *Necessity hath no Law, or knows no Law.* The meaning is good, That ordinary laws for settled times, give way to present pressing necessities, not only before men, but God too, who in saying, *I Will have mercy and not Sacrifice ;* directs to prefer necessities of mercy and safety, before all ordinary Formalities, either of Religion, or of civill Justice. How els might a private man kill one that assaults him? And if one may defend himself, I say again (as before) much more many ; and to that end Assemble even for war, and make Trumpets of their own, when they that have the ordinary Trumpets, will not use them at all, or against the common good. And *Num. 10.* hath not the least shadow to the contrary. Also without the Trumpet may not the Church assemble?

Fourthly, For *David's* carriage towards *Saul* and his Army, *1 Sam. 26.* it is partly answered before. But he urges, That though it be said, they intend not hurt to the Kings Person, yet might they not as well have hurt his person in the day of battell, as any of them that were swept away from about him by the fury of the Ordnance, which put no difference twixt King and common Souldiers.

Rep. Indeed this is the hardest case can be put against defence by Arms. But supposing (as hath bin partly proved already, and will be more, the further we proceed) that against his messengers and instruments, arms may be taken, & battles fought to prevent the *subversion of Religion, Laws and Liberties,* upon which they are bent: I only ask 2 or 3 Questions.

1. By what rule of conscience or God, is a State bound to sacrifice Religion, Laws and Liberties (the conservation of which is the end of all governments, and so of all Princes Authorities) rather then endure that the Princes life should come into any possibilities of hazard, by defending them against those, that in his name are bent to subvert them.

2. If he will needs thrust himself upon the hazard, when he needs not, whose fault is that? Is it theirs that desire not to have him hurt in the least, and resolve not to hurt him

wittingly or willingly, but meerly to defend themselves upon necessity; and offend others that are his seducers, or instruments, or besh? And to this purpose, let it be remembered that I have proved, that *David* would have kept *Keilah* against *Saul*, and then if *Saul* would have bin obstinate to assault it in his own person; how could *David* have helped it, if an arrow or a stone from the wall had hit him and killed him? And then withall, whether there be not somewhat this way, in that of *David*; *Either the Lord shall smite him, or his day shall come that he must die, or he shall goe into the battle and perish*. If he might fight with *Sauls* Army, as in *Keilah* he would, and *Saul* would goe downe into the battell, his blood would have bin upon his own head. As if a King disguised should offer any private violence, a watchman that would not (or even might not) hurt him being knowne, were without blame, if he knock't him down, or even killed him, as he might in like case a disorderly private person. Now in battell, to many or most (and especially to the Gunners that give fire to great Ordnance) he is altogether disguised, and so they are blamelesse, in reference to his personall hurt. The fault is wholly his owne and those wicked Councillors that have thrust him upon the fury of the battell.

3. For also, why should not all that truly wish well to the King, of all other times keep him out of the battell, when it is against Rebels? I am sure *David's* men would not let him hazard himself, 2 *Sam.* 18. (though he offered it) and said he was worth 10000 of them. They then that put him upon such desperate dangers, against supposed Rebels shew they love their owne rapine (for which they fight, and to subvert Religion, Laws and Liberties) above his person and life. And then let God be Judge who stretcheth out the hand against him unlawfully? They, or others?

Fifthly, He observes two things more concerning the point of resistance.

1. That all the seeming instances for it, are out of the old Testament.

Rep. 1. Why should he insinuate this to be insufficient? Is not the old Testament Gods word, and a direction for our lives, as well as the new? Was not, *Honour thy Father and Mother* (under which himselfe comprises obedience to Princes) a law of the old Testament? And if it were lawfull (as the instances have bin justified against all that he hath said) to resist then; how comes it to be unlawfull now? Did Christ come to make Tyrants secure from resistance, who were not before.

2. I would intreat him, if he be at leisure to rejoyne to this reply, to tell us the intent of Christ in the new Testament; bidding his Disciples, rather sell their garments, then want a Sword. I am perswaded for my part, that he thereby directs them to a just and necessary defence, against any out-ragious attempts of violence illegall. Though he afterwards blames *Peter* for using the Sword without warrant. The new Testament then hath somewhat also toward Resistance.

But 2. He saith, It is a marvellous thing, That among so many Prophets reprehending the Kings of *Israel* and *Judah* for their Idolatry, cruelty and oppression, none should call upon the Elders of the people, for this duty of resistance.

Rep. To this marvell, there may be a ready satisfaction, if we remember, That even in the reigne of the best Kings, not only the peoples hearts were usually unprepared, and in their greatest seemings hypocriticall and treacherous, as appears by the Story and the Prophets. But also the Princes, Elders and Nobles were exceedingly corrupt. In *Joash's* time, as soone as *Jebojada* was dead, the Princes came and corrupted the King; and in the beginning of *Esay's* Prophesie in *Uzziah's* time (who was among the better Kings) he calls them *Princes of Sodom*, and so even in *Hezekiah's* time, how doth *Micah* complaine of them. (*Ch.* 3. & *Jer.* 26.) and *Jeremy* in *Josiah's* time after the Reformation begun. Now if they were so bad in good times, who can marvell, if they were

marke nought, where the King was nought, and helpers forward of his Idolatries, cruelties and oppressions. And why should it then be expected, that the Prophets should call upon them to resist, the King being on their side, and they on his.

Sixthly, At last the Doctor comes to his maine strength of all, namely, *Roman. 13. 2.*

In the improvement of which Text to his purpose, he layes downe four Positions, and then makes a five-fold Objection, and shapeth Answers to them; all which must come under examination.

1. He sayes [*I may suppose that the King is supreme, as St. Peter calls him, or the higher Power, as St. Paul here, though it be by some now put to the Question, as one absurdly commonly begets another to defend it.*]

Rep. But by his leave hee runnes away too fast with his supposition in a double respect.

1. That *St. Paul* here, *Rom. 13. 2.* speaks only of resisting the supreme power, the King, or Emperour or Monarch, whereas the word in this second verse is indefinite, the power *in auctoritate*, which extends to all in authority in either ranke or degree, as well as the supreme, as was noted before. If he (or any for him) say that the power, *v. 2.* must signifie no more then the higher power, *v. 1.* which he interprets only of the supreme.

Rep. Here againe I must tell him, he abuses his Readers (carelessly at least, I will not say wittingly, let his conscience looke to that) for he alwayes reades higher power in the singular, whereas it is *Powers* in the plurall, and the next words, *There is no Power but of God, the Powers that be are ordained of God*, shews the Apostle speaks of all sorts and ranks of Powers. Therefore he must take in the other, *Powers*, as well as the supreme in both verses, and that will be nothing for his benefit, as will appeare by this briefe reason. If the Powers that are under the Supreme may not be resisted by this, *Rom. 13. 2.* Then either the resistance forbidden extends not to resisting (though with Armes) out-ragious and tyrannicall assaults of illegall violence offered by those officers, as suppose a Major, Justice, or even a Constable, or else even one of those officers, even a petty Constable is as absolutely over those that are under his office as any Monarch, and they slaves to his lusts, as well as to an Emperours, because the one ought not to tyrannize (by the Doctors Confession §. 1.) no more then the other, and the one ought not to be resisted no more then the other by this argument and Text.

Now which part of distinction will the Doctor chuse, if the former, he deserts his cause plainly. If the latter, then besides the apparant absurdity of it; I urge, that all men will grant, That a Constable and such like officers (betweene the people and the supreme) are lyable to be themselves punished by Lawes, if they offer any out-ragious and illegall violence, which cannot possibly be, unless they may be resisted even with Armes in case any arme themselves to practise violence. Also else a few of them, as the Major or Aldermen of a Towne, joyning together, might goe through all the City and rebbe, and kill as many as they would by force of Armes, and no man might offer to resist them by taking Armes against them. It remains therefore that all Magistrates (except the supreme to begin with) may be resisted even with Armes, if offering violence and tyranny; And yet *St. Paul* forbids to resist the Powers without distinction of supreme or other. Therefore *St. Paul* meanes not to forbid resisting Tyranny with Armes. But resisting legall and lawfull commands, even other wayes, as well as with Armes,

though this be the worst kind of resistance, where obedience is due.

But secondly, It must not be granted him (for all his bigg words of Absurdity, imputed to those that deny it) *That the King of England is in all considerations the supreme* (or the highest Power (if St. Pauls words were in the superlative.) This belongs to Politicks, and the Doctors Divinity will not reach it, himselfe cannot deny it, That the King is not supreme in the legislative power. Though hee have a negative voyce in Lawes, so have either of the Houses distinct. Hee can then neither make new Lawes alone, nor abrogate old ones: Nor violate (without injustice) the goods, much lesse the lives or chastities of any of his meanest Subjects, and least of all authorize any of his followers by his warrant or presence to doe so. His Supremacy then is bounded by Lawes, and is given him (be it more or lesse) *ad salutem non ad destructionem*. Which yet were not, if no Tyranny of his might be resisted. But of that more anon.

But the Doctor will prove the King supreme 3 wayes.

1. "St. Peters distinction comprehends all that are in authority. The King as supreme, and those that are sent by him: In which latter rank are the two Houses of Parliament, being sent by him, or sent for by him, and by his Writ sitting there.

Repl. 1. Why did the Doctor leave out the word *Governours*? Is he afraid to grant the Houses of Parliament any power of Government?

2. What if sent by him, refers not to the King, but to the Lord, for whose sake, all both King and Governours are to be obeyed, and by whom both are sent? (but of this also more anon.)

3. But grant him his way, I aske how it shall appeare, that the name of King extends as farre every where as S. Peters βασιλεὺς & ἡγεῖται. The Spartans had two Kings, and yet neither of them so supreme, but under the controll of the Ephori. There are also Monarches as supreme as any that have the Title of King. The Great Duke of Florence, The Great Duke of Muscovy, and others. Also the Romans in S. Peters time call'd not their Emperours King Rex, Which yet is the ordinary Latine of βασιλεὺς. In a word, he only is supreme, whom the Law calls supreme, and no further then the Law makes him.

2. He saith also, by the Oath of Supremacy it is acknowledged, That there is no power above him without or within this Realm, and that he is in all causes and over all persons supreme.

Repl. But some Lawyers will tell him, That the Oath of Supremacy is either only against forraigne powers (and namely the Pope) having to doe here; or against all particular persons having authority above the King within the Realme. But that with all Law-books intimate a superiority, in curia Comitum Baronum, &c. which is the two Houses of Parliament.

And secondly, That he is supreme not to judge all persons and causes at his pleasure, but as assisted according to Lawes with his Counsell and Judges, and specially his great Councell, and chiefe Judicature (during their sitting) the two Houses of Parliament. His Supremacy then, still appeares limited by, and according to Law.

3. But hee adds, This is also acknowledged by the Petition of the two Houses address'd unto his Majesty, wherein they stile themselves, his Loyall Subjects.

Repl. True and right; but still this is to be understood, to be Subject according

to Lawes, and for the good of King and Kingdome, neither of which is promoted or preserved by a restraint of a defensive Resistance of tyranny, which restraint, the Doctor so contends for. Adde here, what must elsewhere be further urged, That the King himselfe in his answer to the 19 Propositions, acknowledges that the two Houses have legall power, more then sufficient to prevent or restrain Tyranny. Which I would faine have any man shew me, how it can be done, but by taking up Armes, and then I will yeeld him the cause, That all Armes taken up are unlawfull. But till then the King hath granted the cause, legall and just against the Doctors first maine Proposition, and all his Arguments.

His next ground is, That in the Text of the Apostle, all persons under the higher Power are expressly forbidden to resist, for *Whosoever*, in the second verse, must be as large, as *every soule* in the first verse, and the resistance forbidden here concernes all upon whom the subjection is enjoined there, or else we could not make these universals good against the Papists, exempting the Pope and Clergy from subjection.

Repl. 1. He still runnes on in his error to limit the higher power to the supreme.

But secondly, I grant him that all other powers under the supreme are forbidden to resist in the Apostles kene. A Constable, Justice, Major, Sheriffe, Judge of Assize, nor the very Houses of *Parliament* may not resist the authority of the King commanding according to Lawes. But yet it remains to be proved, that they may not resist his violence, when he is bent to subvert Lawes and Liberties, and Religion and all: Or the violence of his followers, even though doing it by his warrant or in his presence. Also, because he doth so much insist upon the phrase of higher power, let me put him a case. A wicked Robber that hath committed twenty most bloody murders one after another, in cold blood is led away after legall condemnation by the Sheriffe to be put to death: Suppose a King would come with armed souldiers, and offer to take him violently and by force out of the hand of Justice. Who resists damnable now that power which is the Ordinance of God, and to whom the Sword is committed? The Sheriffe and his men that resist the violence, or the Kings followers (or even himselfe) that resist the due Execution of Justice? Let him study on it and give an Answer at his leisure.

3. He proceeds, In those dayes there was a standing and continuall great Senate, which not long before had the supreme power in the *Roman State*, and might challenge more by the fundamentals of that State, then our great Councell (I thinke) will or can. But now the Emperour being *supreme*, as *S. Peter* calls him, or the *higher power*, as *S. Paul* there, there is no power of resistance left to any that are under him by the Apostle. Thus for the persons that should resist, all are forbidden. Now consider the cause.

Rep. 1. Doubtlesse *Saint Paul* wrote not to the *Roman Senate*, nor *Saint Peter* neither. And if the Doctor will prove it unlawfull for them to resist, he must prove it from the Law of nature, or at least from some ancient Law of the old Testament, given to the Ancestours of the *Roman Senate*. Or else shew how this could concerne them, who never heard any thing of it. For any thing then he saith, it was lawfull for the *Roman Senate* and the Heathen Subjects to resist, though not for *Christians*.

2. If he or any for him shall say that it suffices for his cause that it was forbidden to *Christians* and accordingly is now.

Rep. 2. If you reply that supposing it not forbidden to Heathens; No more was it to Christians, before *S. Paul* (and *S. Peter*) wrote. And if so, then belike (as was formerly toucht) the Apostles laid a yoke upon the necks of Christians, worse then all the *Jewish* ceremonies, which the Gentiles were ever freed from: For whereas before the *Romans* might resist their tyrannous Emperours, now by becoming Christians their hands must be tyed to have all their throats cut, (even though the whole Senate were Christians) at one *Neroes* pleasure. He that wisht that all *Rome* had but one neck that he might strike it off at a blow, had done wisely to have endeavoured to have made them all Christians, and then he and his Guard with him, or his Army might by this Doctrine have struck off all their heads, or runne them all through one after another as fast as they could deale blowes, and so he should have his will in their destruction, though there must have beene a little more paines taken about it. Surely Christ who came to purchase liberty to his people never meant to enslave them to tyrants above all others of Man-kind. The Doctor must goe prove resistance unlawfull from some other grounds of natures law or the ancient lawes of Scripture, or else this Text of *S. Paul* will appeare to have another interpretation, even that which hath beene given before in the explication of the Text, and inference from it.

Thirdly, I will not therefore trouble my selfe to compare the Authority of the *Roman* Senate with our Parliament, much less argue for that power which they had lost about a 100 Yeares before *S. Paul* writ; It suffices he hath not disproved at all their present power of resisting tyranny, when *S. Paul* wrote, and that by the same argument I have disproved, that *S. Paul* forbids Christians to take any such power to themselves.

4. But he adds [was there ever more cause of resistance then in those dayes? Were not the Kings then not only conceived to be enclined so and so, but even actually were enemies to Religion, had overthrown Laws and liberties?] *Rep.* If it had been before demonstratively proved that resisting the power (or higher power) did properly signifie, taking Arms against the Supream, when he plays the tyrant: This fourth step were a just illustration, and confirmation of it. But now he only begs the Question (whether deceitfully or being himselfe deceived by his own strength of fancy against resistance) and builds without a foundation. For will it prove that *S. Paul* forbids resisting by Arms a tyrant; Because *Nero* was then a tyrant. Unless: there were nothing else that could be celd resisting the higher power, but resisting by Arms? He that should have wilfully and obstinately refused the just Laws of the *Roman* State, had resisted the higher powers in *S. Pauls* meaning (as the whole context, and all interpreters shew) What is this then to inferre a prohibition of resisting tyranny by Arms? It inferres indeed, or includes principally resistance of lawfull commands by Arms. But how comes tyranny in? because forsooth *Nero* was a tyrant. *Rep.* But his authority according to the Laws of which alone the Apostle speakes was not tyrannous. The Argument therefore is wholly inconsequent, and fallacious from legall commands to tyrannous violence. And that the Apostles context proves abundantly, notwithstanding his pretended answers of Objections. But heare him.

1. Therefore, If any should from the Apostles reasons that he gives against resistance in the 3, 4, and 5, verses, *For Rulers are not a terror to good Works, but to evil, and he is the Minister of God to thee for good.*

(*Rep.*)

REPLY. That Rulers so long as they are not a terror to the good, but minister for our good are not to be resisted. The consideration of those times leaves no place for such exception, because the powers then which the Apostle forbids to resist, were nothing so, but subverters of that which was good, just, &c.

REPLY. This still labours of the fallacie, that Rulers and Powers signifie the personall commands of the supream; only once here ere he is aware he names powers in the plurall, which the Apostle forbids to resist. But I say as often, it onely signifies the legall commands of Authority, whether supream or subordinate. Secondly, though *Nero* was a Tyrant, yet were not all his Magistrates and Officers so; nor hee himselfe in all matters (perhaps not at all when *S. Paul* writ this he had his *Quinquennius*, and it may possibly fall within the *Quare*) unto those which were legall, which were the greater part that concern'd Christians, It was forbidden to make resistance, and the Dr. hath said no word to prove yet, that the prohibition extends further.

2. Hee makes a Second Objection that some say, that prohibition was temporary and fit for those times. To which he makes 2 Answers. 1. That this is a new exception never heard of I thinke but these times.

REPLY. I have not in my Reading observ'd any to make such an exception, and doe readily yeeld to him that so to put of the Apostles prohibition is a senselesse, and presumptuous shift. But I must encounter his second Answer. Which is,

That the Reasons of the Prohibition (in his sense of resisting Tyranny by armes) are perpetuall, *verse 3. 4. 5. 6.*

REPLY. I have formerly shewed the contrary, and that all the reasons fight against his sense. But he will prove it.

"From that order that good, for which the powers are ordained of God, which will be of force as long as there is Government, and will be alwayes; reasons against resistance, because resistance (though it be made against abused powers (as then they were) doth tend to the dissolution of that Order, for which the power it selfe is set up by God; by which also the other distinction of theirs is made void, when as they reply they think acutely, That they resist not the power, but the abuse of the power.

REPLY. It is granted by him that the state of the Queest. is, when a Prince is bent to subvert Religion, Lawes and Liberties. I would then saine know what order or good will, then be in force, when these are subverted? And whether this Tyrant that attempts to subvert these, intends not to dissolve that Order, for which his power and himselfe were set up of God? And how then the Apostles reasons can possibly reach to forbid resistance to such attempts or practices; I will instance in foure Commandements of the second Table which the Roman Lawes in those times were conservators of as much as any Nations in the world (except Gods people of Israel) the 5, 6, 7, 8. Com. Suppose *Nero* gathers together a Company of dissolute young men, and with this guard or band enters into severall houses, encourages those children that were willing to be so wicked, to abuse Father and mother: from thence they goe to the Market place, and kill any they meet, and have quarrell with; then they catch mens Wives and ravish them before their Husbands faces, and after that rob the rich mens houses at their pleasure: I demand now, what greater (or

equall) dissolution of that Order, for which the power is set up of God can be imagined? Or how the not resisting such a Tyrant can with common sense be inferred from those sentences, *Rulers are not a terror to good workes, but to evill, and he is the minister of God to thee for good?* What is this, but to call good evill, and evill good? Which the woe against which our Doctor would scarre men from resisting tyranny in his title Page: resistance of such an one then is so farre from dissolving of order, as there is no meanes under heaven to keep order from being dissolved in such case, but resistance.

Secondly, whereby it will appeare also how void his confidence is, that by his former words he hath made void the distinction betweene the power and the abuse of the power himselfe hath granted (and cannot in conscience deny) that though the Prince is to be actively obeyed when he commands lawfull things; yet not when hee commands against the Lawes of GOD, or even the established Lawes of the Land: hee then distinguishes acutely hee thinks, betweene the power and the abuse of the power. Why is it not as lawfull for us in the second verse so to distinguish upon *οὐκ ἔστιν ἡμῖν* as well as for him in the first verse upon *οὐκ ἔστιν ἡμῖν*? Or if it be not, he must give us a better reason then he hath yet. And till then I againe make bold to tell him that all the Apostles Argument, v. 3, 4, 5, 6, 7. justifies our distinction, and refutes his interpretation.

Another Objection he makes against himselfe, is, That some say the Emperours then were absolute Monarks and therefore not to be resisted; he answers. They did indeed rule absolutely and arbitrarily, which should have according to the principles of those dayes beene a stronger motive to resist. But how did they make themselves of Subjects such absolute Monarks, was it not by force and change of Government? And was not the right of the Senate and people good against them with as much, or more reason, then the right of the people of this Land is against the succession of this Crowne, descending by three Conquests?

REPL. 1. This Objection is needlesse, and so shall be none of mine. Also it is a nicety to averre, and very hard to prove that the Emperours were (or any other Princes are) absolute Monarks, under whom there is a government by written Lawes, as among the Romans were the 12. Tables, and many other Lawes. But I adde, that no Prince can be an absolute Monarch to have power over mens lives at his pleasure (or over the chastity of any at all) He can have no power but according to the Ordinance of God. Now it is certaine God never ordaines any such Arbitrary, or injurious power. Therefore no Monarch hath any such *de jure*. As for that, any hath *de facto*, as he speaks of the Emperours ruling absolutely or arbitrarily. If they did so (as they oft did) for evill, I have formerly shewed, and he hath not refuted it, that they might have been resisted. 2. What he speaks of their becoming Monarchs touches not our case at all. For however he insinuates, Who ever hath soberly written for defence and resistance against Tyranny doth not plead any right in the people of this Land against the succession of this Crown: But though the King and his rightfull successions ought still to hold the Crown; This forbids not a necessary defence against their unjust violences when ever they shall use them. 3. Yet withall I add, that though so long as there was any in the Roman State who had not by Oath or the like exprest their consent, to the usurpation.

pation of the Roman Emperours, they were free to have thrust them out againe, or rather bound to have done it, and restore the Senate to their lost authority: yet when any have with the generality yielded to the change of an *Aristocracy* (wherein no man hath personall right of succession) into a *Monarchy*; they, and specially the posterity of those that have so yielded, are from thenceforth for ever bound to that government, according to just and equall Lawes already in being or to be made hereafter, even by the Monarke alone, if they have trusted him with it alone; But never can they lose their right (no, not by their owne consent) of just defence of Chastities, or of their lives, untill they forfeit them by their misbehaviour against some just Lawes or other. 4. As therefore the Doctor disclaimes the pleading for an arbitrary power) (such as Conquerours use) in this crowne, so if he can plead no better against resisting our Kings then he hath in the case of the Roman Emperours, he will merit but small reward for his paines. But for that, *viderit ipse*.

5. I come to his last objection, That Christian Religion was then enacted against by Law; but the Religion contended, is established by Law. Hee answers two things.

First, Is the Religion established denied to any that now fight for it? &c.

REPL. This with the rest belongs to matter of fact in the third Proposition, and seventh Proposition. Thither, I referre it that I may not say over needlessly the same things, or say but a little here of that which hee will needs make necessary to say a great deale more then I desire.

Secondly, the prohibition (saith hee) not only concerns Christians, but all the people under those Emperours; and not only Religion was persecuted, but liberties also lost the people and Senate were enslaved by edicts and Lawes, then enforced upon them, and they (according to the principles of these dayes) might resist notwithstanding the Apostles prohibition, and the Lawes then forced upon them, or else the State, as they usually say had not means to provide for its safety. Thus one fancy of theirs thwarts another because both are groundlesse

REPL. 1. Whether the Christian Religion being condemned by law then, did deny them resistance in its selfe, I shall perhaps give him account in another place. Meane time he cannot deny but the difference is very great betweene a Right to defend that which the Law defends, and that which the Law punishes.

Secondly, I have proved that the prohibition of resisting Tyranny by armes, did not concerne the Heathen Romanes (and therefore not the Christians neither.)

Thirdly, what ever liberties were lost, and new Lawes enforced, yet so long and so farre as the Emperours ruled by the Lawes, the people and Senate were in no such slavery, that they needed resist to save the State. But when they used lawlesse violences according to their lusts, neither the Lawes nor the Apostle prohibited a defensive resistance. So that although Christians might not defend their Religion against Law, yet he hath brought nothing to shew, they may not defend it, when the Law hath established it.

But of the meanes of safety in state, he will speake more anon, and so will I. And now I shall oppose his conclusion with a little change of his words. Hitherto of *Scripture*, which how strong so ever it seems against resisting tyranny

by Armes, yet saith nothing at all to prohibit it, rather the Reasons forbidding resistance of just power legally administred, favour this resistance of Tyranny as hath bin shewed. By which conscience will clearly see, that according to the examples of *David*, and *Elisba*, and the rest that have been justified; it hath cleare warrant for such resistance of Tyranny, notwithstanding all the Dr. hath alleadged to the contrary. Now let us see what Reason can enforce.

SECT. III.

I Have been so large in refusing his strength from Scripture, that I need not spend a like proportion upon the rest; and so shall I forbear such a Syllabicall Reply, as I have made to his former SECTION. I shall here only touch Materiall Passages, the rather, because of other paines upon the following SECTIONS. Our Dr. examines the Fundamentalls of this Government as hee saith, though hee after urge that the Fundamentalls talked of are asserted common to all Governments, which is true of that which this SECTION maintaines, Power being Originally from the people at the first. Upon this hee descants, and meddles not with any particular fundamentalls of our State (which indeed is a more proper business for Lawyers and Statists then Divines) except the peoples right is now in the two Houses of Parliament, the representative bodie of the People. I will therefore keep only to what he saith, and not meddle much with our State in Speciaill. For if the power of Resistance belong to all States, in time of need, by the common Fundamentalls of all States it will be reason enough to prove it so in ours. And whereas he saith (that the Fundamentalls must have a correspondencie with the established Lawes,) I grant it in a right Sense, that is, that the Lawes must flow from those Principles, which are transcendent to all particular Lawes, but not if hee meane that they must be ever limited by particular Lawes. In Nature the safetie of the Universe is the Fundamentall of the Harmony of the Elements, and the power and inclination of each Creature towards its preservation. Yet this Fundamentall is not limited by the particular inclinations of Creatures, which as himselfe told us above, give way to the safetie of the Universe. To apply this in a word, the safetie of the whole is the undoubted general Fundamentall of all States; and so of the particular Lawes toward this, and among them of the Kings being intrusted with the *Militia*. But it is not limited by this particular Law; which in case of necessity, when the Prince cannot, or will not discharge his Trust for the safetie of the whole, must in Reason needs give way to the Fundamentall, the safetie of the Whole; and so (*quo ad hoc* for so much and so long still this necessity ceases) falls into other hands, those that are next entrusted: or rather then faile to the whole community it selfe.

But to come to the fundamentall by him instanced in, power originally in and from the People, and this to be reassumed, when the King intrusted will not discharge his Trust. Concerning which let it be remembered, that there seemes to lie a calamitiating Fallacy in two of these phrases. First in that of *not discharging the Trust*, which here sounds, as if it might be but some ordinary Omission of Care; whereas the State of the Quest by himselfe layde, is such a not discharging the Trust, as proceeds from his being bent (of himselfe) or seduced (by others, which is all one for the danger, and so necessity of using what power may be for resistance)

to subvert Religion, Lawes, and Liberties. In this case only, Power of resistance is here pleaded for, not in others.

And indeed the very phrase, of *Power of Resistance* observed, can beare no other Construction. For it Imports a violence offered, a danger presented, which needs to be resisted, not a sleight or ordinary failing to discharge a Trust.

But his phrase of *re-assuming the power*, seems more to sound a *taking away all Power henceforth from the Prince*; which the *Parliament* (nor those that have rationally pleaded their Cause) never mention, but with Protestation to detest the thought. And I for my part, wholly disclaime the pleading for any such reassuming of Power by the *People or Parliament*. I onely maintaine a Right to use so much of it and so long, as is of necessity of the safety of the whole. Of which now let us argue, whe her this Government of ours, cannot (as the Doctor sayes) be built upon this fundamentall, but confusion and Anarchy be raised?

He makes his discourse upon two particulars, as it must be, first of the Originall of power. Secondly, of the Power of reassuming it. In the first I will not tye my selfe to the phrases of the *Observator*, or any else; but examine the Drs. Assertion and proofes, by what Scripture and religious Reason declares about it.

To cleare which I will propound a brieve *Schema* of the maine things considerable in Government, which in the prosecution of the discourse, I shall make use of more then once. I say that, in Government foure things are considerable.

1. The Nature, Authority of Commanding to { doe } { or beare } } { making Lawes, calling for obedience to them. }
 - { Constraint to obedience by punishment, } Verball.
 - { Recall.
2. The end { Chief { Gods Glory,
 - { Good of the Whole Society.
 - { Secondary, speciall Comfort of the Governours,
3. The Efficient. { Supream, God.
 - { Subordinate Man,
 - { 1. By Nature, Parents
 - { 2. By Accident, in which is considerable.
 - 1. The moving Cause, the will or { be Governed
 - consent of the Partics }
 - which is either { Altogether free, and by
 - { Ch. ie partly, forced, by
 - { Occasion of Violence.
 - 2. The persons Governing.
 - { 1. In a Family, } Husband,
 - { Mr. Mrs.
 - { 2. In a State, } Some Monarch
 - { Many in }
 - { Aristocracy of
 - { Chiefe Men.
 - { Democracy of people.
 - 4. The Extent { Absolute, } For { Commands,
 - { Limited, } { Constraints, the } Kind
 - { Degree

He that hath not all these in his Eye, (I meane not in this Forme or Phrased, but in sense, shal never discern cleerly, nor discourse rationally of this subject of *government*, our Dr. though he once occasionally mention the *Peoples good*, as an End upon which Rulers ought to attend, Yet he speakes so little of it, as it had need be a little more remembred then it is, and *Gods glory* also which is the chiefest End of all. But indeede the thought and mention of these Ends much, would be too crosse to his purpose: and therefore hee is wise in his Generation (as I may say, if without offence) to forbear it. Therefore on the other side. I must make bold to tell him, that though the physicall end of things may be silenced or sleighted in a Discourse or Definition, Yet in morall things (such as *Government*) the End, at least the chief End, is a necessary ingredient of both, Definition and discourse, and an Essentiall part of it; it a man will consider it, as he ought practically. Let me therefore adde it to his Definition or Description of *Power or Government*, and then it will run thus. *It is a sufficiency of authority for Command and Coercion in the Governing of a People, for Gods glory, and the good of the Society.* And all the lawfull Power hath this Effect in part, even *Athenas Authority* redounds to *Gods Glory* as the conservatour of Mankind; and effects also, the Civill good of the Common-wealth.

Now the Dr. saith, this power it selfe (not naming the end) is to be distinguished from the designing of the person to beare that Power, and the qualification of that power; this I grant him, and accepting his grant of the two latter being from men, and after their content, ratified by Gods permissive Approbation: I desire a little to examine, how farre that may be granted him which he earnestly contends for, that the Power it selfe is from God; and what may be inferred from thence for him or us.

His meaning is, that All Men are (as he saith) bound to set up and live under Government. This being the Ordinance and Appointment of God unto men as they are Reasonable Creatures. If he meane this of Parentall Government, That is set up to their hands, by God in Nature, as long as the Parents and Children live together, and bind the Children to live with their Parents and under them, till either necessity drive them away, or their Parents dismiss them. But if he meane this, of Politicall Government, of a People, of many Families, as it is plaine he doth (and must if he will speake *ad rem*) then I cannot absolutely grant it him, neither will his text or Reasons prove it.

My Reasons of Denyall are first, that all Mankind, whose Parents are dead, and were not by them while they lived, Subjected to a Government are naturally free; & so not bound to part with that freedom (as even a Monarch doth part with much freedom when he takes the Rule) unless they see a necessity, or at least a great advantage, for Gods Honour, and their owne and others Good: which is not alwayes to be found in setting up a politick Government.

2. Wherein I am confirmed, by the consideration of the three great *Patriarches*, *Abraham*, *Isaac*, and *Jacob*, who while they lived in *Canaan*, were not within any government, but onely *Domesticall*, and neither did rule, nor were ruled by the Inhabitants of *Canaan*, nor joyned with them in a Common government. Though *Abrahams* Family was very numerous for a Family, yet it would be hard to call him a *Monarch*, much lesse *Isaac*; and *Jacob* lesse, who when he went downe into *Egypt*, doth not seeme to have had any Servants, but onely *Sonnes*, and his and their Wives and Children.

3. And to this may be added, that by all Authors, it seemes to be late, before a-

any settled government, (beyond parentall;) any of diverse Families in continuation, came to be in the World.

4. When the World was more emptie as in *Abrahams* time, a godly man, as he, having a Competent Family, might subsist without others, joyning in a government with him; and he could not doe them any remarkable good, or gayne glory to God by it, they being Pagans. So that it is not (I say) absolutely true, that men are bound universally, as by an Ordinance from God, to set up, live under government in the Drs. sense. Marriage is Gods Institution and Ordinance, and more originally then the Government politicall, and necessary for encrease, yet are not all of mankind bound to marry, but for their owne good and comfort, and so of others, and advancing Gods Glory in both. So it is with Power, or Government Politicall, though new when the world is peopled; As there is lesse Necessity of Marriage, then when the World was thinner, (though still a Necessity to many, even to most.) So is there more Necessitie of being within Government to secure ones selfe and others from wrong, and doe one selfe and others good and glorifie God in all. And so farre I grant it Gods ordinance to all.

But one thing more I must remember him, and the readers of. Namely that this Power, will not be proved absolutely to extend, to the making of any Humane Lawes, but onely to see to the Observation of the Lawes of Nature, and of God by His word and special Revelation both of the first, and second Table; and to no other power of coercion, then what the Light of Nature will Argue Necessarie, for the Observation of those Lawes of Nature. And that all further power, belongs to the third particular, which he calls the qualification of the Power, & depends upon mans Consent (so it be not against Gods Law and Word,) which I call the extent of the Power. Which if it be true, it shall be seene a tion, what Consequence may be drawne from it to the disadvantage of the Doctors purpose.

And now let us view the Doctors proofs, that Power it selfe is an Ordinance of God, binding all Mankind, to set up and live under government. *Rom. 13. 1. The Powers are of God, and the Ordinance of God, v. 2.*

REPL. The Doctor seemes to have an excellent faculty, to take so much only of a Text, as seemes to serve his turne, and leave out the rest, which at least might seeme to be against him: the words *v. 1.* are, *There is no Powers but of God, The powers that be, are ordained of God.* This may be true, when Powers are, and not that there *must* be powers every where, as in the similitude before, there is no Marriage but of God, the Marriages that be are ordained of God. As for *Saint Peters Ordinance of Man*, or it is in the Originall, *Humane Creations*, which is more Emphaticall, granting as the Dr. doth, that the qualification, and Person is from Mans Creation, I will not urge more from the Text against him.

2. He urges *ver. 4. He is the Minister of God*, this yet proves not a necessitie in all of setting up Government. But onely when it is set up to acknowledge the Governour *Gods Vicegerent*. So (as before) the Husband is Gods Vicegerent: Yet a Woman not absolutely bound to be under a Husband. The truth is, *Government* and *Power* is from God originally in these respects, no further. First he hath laid a generall charge upon Mankind, to advance his Glory, their owne and others good (whom thus are bound to love as themselves) by all meanes not by him forbidden. Secondly, in the parentall Authority, (or pro parentall, if the Parents dye in their Childrens Infancy) he hath shewed them how much Government may conduce to this. Thirdly he declares by instinct in Nature, that as Pa-

rental

rentall Authority is deputed by him, so that he affords a deputation to other Governements when once set up. Fourthly, shewing all men (now a dayes and long since) in fully inhabited places of the world, not only a profit, but even a necessity of being within Government (at least for his glory, in the Civill good of Societies) Upon these grounds we may say he ordaines and commands all to be within one Government or other; but not absolutely, nor without relation to this end.

But thirdly, he alleadges, *By me Kings reigne*, and *I have said ye are Gods*, and *the word of God came to them*, Joh. 10. That word, saith he, is the issuing out of the Commission for the setting up a Government over and among the People.

REPL. But none of all this will amount to his Conclusion; 1. *Kings reigne by God*, that is, they are his Deputies. Men could not give them any Authority over themselves unlesse God owned it, and by his instinct had prompted them to it. Secondly, he saith, *Ye are Gods*; but this an owning the designation of the Person, as well as the Power. This place either proves more then the Doctor urges it for, or lesse. Thirdly, as for his *Dixi*, the Doctor mistakes most of all. For it relates plainly to his owning the Petrons, (whom yet he tels, *They all are like Men*: but the Power dies not) and is rather a granting a particular Patent or Commission to the Person chosen or succeeding, then a Commission (or Originall Writ) to set up a Government.

His Reason is no more Universally True, then his Texts pertinent. God (he saith) Governs all Creatures, Reasonable, as well as Unreasonable; the lower world by the Heaven, and the Reasonable Creatures Men, by others too let up in his stead, &c.

REPL. But what if the Edge of this Reason be Turned against himselfe? For by whom according to the Dr. are Kings and Monarks Govern'd? In an *Aristocracy*, each of the Governors is Governed by all the rest of his fellowes, and so in a *Democracy*, but in a *Monarchy*, one Governs all, and hee himself is Governed by none. Either then all mankind are not bound to be under Government (and then all his Texts and this Reason are alleadged in vain) or else Kings and Monarks are also under some Government, at least of the Representative Body of thei people (according to what was before alleadged from our Lawyers, *Rex non habet Superiorem præter Legem & Curiam Comitum & Baronum*, &c.) Let him take his choice. Nor can hee evade this with saying the Text Speaks of Monarks, and they are called G O D S, and so none above them. But 1. I appeal to all Interpreters, whether the *Psalms* intend it not (and so Christ after him) of all sorts of Judges, and so *Exod. 22. 28. Thou shalt not Curse the G O D S, nor speake evil of the Ruler of the People*. Yet this *S. Paul* acknowledges extended even to the High Priest the Ecclesiasticall Governour. 2. Is not the Text at least meant, of all the Governours in a *Democracy*, and in *Aristocracy*, that they are call'd G O D S, yet each hath the rest above him? 3. However still his Reason is voyde, for all Reasonable Creatures are not governed by others in G O D S stead; for by his saying, Monarks are not; and yet they oft times need to be governed so far as not to be suffered to undo all by thei Governing or else this Question had never bin in the world, which our hearts bleed to be forced to dispute, concerning the power of resisting Monarks.

If now the Dr. will say that we afford G O D a poore part in setting up of power for the governing of Men, he had need seek better prooffe or else he will hardly perswade any more to a considerate Reader. But perhaps hee will say I have yielded him enough, (and more then others have done) that will be seene by the use he can make of his assertion. But in the meane time, I have 2 or 3 Considerations to propound, from his Texts and Reason, and my own grants and assertions.

1. Each one of his Texts speaks of more then the Supream Powers, *Rom. 13. 9.* Plainly *Plurall*, more then once, and takes in all Ranks, as hath been proved. Saint *Peter* names *Governours* to be submitted to for the *LORDS* sake, as well as the Supream and I should thinke, *Sent by him*, is by the *LORD* rather then by the Supream, as I shall shew by the Reason by and by; and St. *Paul* hath said the powers that be (even the Governours) are ordained of *G O D*. And *Prov. 8.* after the words, *By me Kings Raigne*, follows, *And Princes Decree justice, By me Princes Rule, and Nobles even all the Iudges of the Earth.* This is plaine, as well for other Governours as Supream, being the Ordinance of God. And as for *Psal. 82.* and *Job. 10.* I have spoken before. I wonder then that the Dr. in a Treatise of Conscience, and having that word so often in his Discourtie makes no conscience of confining these places (as in effect he doth continually) meerely to Supream power; It was for his turne indeed, as will appeare more anon. But that will hardly satisfie a Conscience, let him think on it.

But I must not forget his reason now serving me once more against him. God governes all men by others in his stead; now that is done by subordinate Governours, as well as supream (and so the inferiour and unreasonabable creatures by divers subordinations) and the subordinate doe sometimes, even ten more then then the supream, let him be never so good; if they be bad, the government and order will be disturbed and perverted, in a large Dominion, because his eye and hand can not be but in one place at once, and all may be and will be naught, if those under Governours be naught, whiles he is absent.

But if they be good, they keepe things for the generall tolerably well, how bad soever he is. For his badnesse then, (as his goodnesse before) will not reach to all places, and scarcely (though badnesse in a corrupted world will reach further then goodnesse) much further then where hee is present. Kingdomes then are governed under God, by other Powers as well as by the preame, and they no lesse sent by him then the supream; I shall make an inference or two from this afterward.

Secondly, meane time I add my second consideration. That in all the forementioned Texts the spirit of God with the mention of Governours authorized and ordained by him, inculcates their duty to him, and their obligation to Justice, &c. and that not onely when hee speaks to them, *Psal. 82.* and of them at large, *Prov. 8.* But even when he speaks to inferiours to be subject to them, and especially when he forbids resistance, *Rom. 13.* And for this cause they are all to be prayd for, *1. Tim. 2. 2.* *That we may lead a quiet and peaceable life, in all godlinesse, and honesty.* Which words, if they may not be taken, as intending why God hath set any in Authority; yet the thing is undoubtedly true, hee never by way of ordinance gave any Authority for any other End.

Those Governours then whether supreme or other, that under pretence of their Authority from Gods Ordinance, disturb the quiet and peaceable life, which the inferiours should lead in all godlinetie and honesty (as to bee sure they doe, that are bent or seduced to subvert Religion, Lawes and Liberties) are farre from being Gods Ordinance in so doing; and therefore however their power is selfe, a sufficiency of Authority for command and coercion in governing the People, be from God; yet their Tyranny is not at all from him, by way of Ordinance or Approbation, and so they that resist it even with Armes, Resist not the Ordinance of God, but resist the violation of his Ordinance, and so doe nothing unlawfull, though it be a resisting of the supreme person.

Thirdly let it be remembered that St. *Peter* in the place fore-mentioned, speaking of Governours, suppose it meant as the Doctor would, *sent by the supreme, adds (for the punishment of evill doers, and for the praise of them that doe well.)* If then the supreme send Governours to erect or practise a Tyranny (to subvert Religion, Lawes and Liberties (whether under the name of *Justices of Oyer and Terminer, Sheriffes, Commissioners of Array, or the like*) which is to the Punishment rather of those that doe well, and the praise of Evill doers; St. *Peter* saith not a word, to bid be subject to them, either actively, or so much as passively. Nor any where else in Scripture, I dare be bold to say it, doth the Spirit of God bid be subject to Princes or politick Governours, though tyrannous, or perverters of Religion, and Justice. I meane not when it speaks of them as such.

And till then, though they have power from God, which is not to be rejected; yet their Tyranny being not from him, but against him, may, and the Doctor hath not been able (nor will never be) to prove to the contrary.

SECT. IV.

IN this Section the Doctor undertakes to treat of the *Forfeiture* of the Power, and so of the *Re-assuming* of it by the *Parliament* or *People*, for the Kings not discharging his trust. And denies this Forfeiture, and this power of Re-assuming that Power. But this (he saith) they that plead for it offer to prove by two or three things laid together. First, that the power is derived from the People by way of Election. Secondly, that there is a Covenant betweene the King and the People. Thirdly, that it is necessary for a State have a meanes within it selfe to preserve it selfe. Against all those the Dr. argues, and I follow him. Onely remembring him that by *Forfeiture* is not understood *Forfeiture of all Kingly Authority*; nor by *Re-assuming* (as I said before) a *taking of the whole power from him to themselves*, but onely for the particular Case in hazard, and for the present necessity.

And now to begin with what he first mentions. the Derivation of power; I must tell him that he forges what he before complained of in others; that they confounded the power it selfe with the person and the qualification. I am sure he doth so here, if ever man did. Hee before granted the Person and Qualification from men, and then they approved of God; and more then that, no man pleads to be derived nor more to be forfeited; I plead not for so much, nor he *Parliament* neither. But only the Qualification for the particular Case of danger, and till that danger may be sufficiently secured.

Yes here now at first, to oppose the Forfeiture (but of this particular which is only in question now before us) he denies the power to be from the People, and appeals to what he hath cleared, which is onely (by his owne saying, but not altogether as hath beens shewed) that the Power it selfe is from God. But for all that, if no more can be said against the persons forfeiting his reigning Power, and specially in the Qualifications of it, even for ever, it may undoubtedly be forfeited and so re-assumed all of it: which is more then I say.

Secondly, but he will prove, that though the People have this Power absolutely (which himselfe hath more then once granted, of the Designation of the Person and Qualification) yet could they not have right to take it away.

REPL. The King will have no cause to thank him for his undertaking, as well because he doth it not with any great strength; as also because hee hath hereby provoked men to dispute even this Case; which no way needed, since the *Parliament* never pretended to this Right in generall, but rather disclaimed it.

First, he saith, [Many things which are altogether in our disposing before we part with them, are not afterward in our power to recall.]

REPL. True; but some things are, and that both, if conditions be not observed, and even at our owne pleasure.

A King makes some Officers for *terme of life*; others, *quandiu se bene gesserint*; others, *autante bene placuit*. To the latter hee may send a Writ of Eale at his pleasure; and every day its in his power to recall their Authority. To the second their offices are sure without power of recalling till they are legally convicted of misbehaviour. To the third, as long as they live, their Authority is firme, and no power of recalling it wholly. Yet even such may bee hindred from some Administrations, by Accusations by and apparency of Crimes, making it unfit for them to be trusted in the particular.

We imagine not the People to have power to recall that Regall Authority at their pleasure: we argue not that they have power to recall it wholly, upon any Case of *Mal-administration*. All that we plead for is power to administer a part of it upon necessity, which he will not administer for good, but rather for evill. And there are not many things that were altogether ours, and in our disposing before we part with them, but are still so farre ours, as to use them againe in our necessity for that turne at least, though there are some.

Secondly But he will prove this to be one of those that are not after in our power to recall (especially, saith he, such, in which there redounds to God an interest by the Donation, as in things devoted, though after they come to be abused.)

REPL. R. Grant this true, in reference to the Power of recalling them wholly, (which yet is not universally true as will appeare straight) yet may there be power enough to administer so much as is of necessity.

— A Wife is tyed to her Husband by the Covenant of God. (so called *Prov. 2.*) by the Ordinance of God, more ancient, and no lesse strong then that of Politick Government. She cannot recall wholly her Husbands Authority over her, though shee was once altogether at her disposing: to choose or another or none to be her head. All the goods of the Family are his in Law, and not hers but by his leave and order: Yet for her necessity, she may by the Law of God and conscience administer so much of the goods as is fit; and secure her Per

ion from his violence by absence (though that ordinarily be against the Law of Marriage, and the end of it,) or any other meanes of necessary defence.

But secondly, it is not altogether true, that there is no power of recalling any thing devoted to God. *Hezekiah* took off the gold from the Doores of the Temple, and the Pillars which he had overlaid, and all the silver in the house of the Lord, to pay the King of *Assyria* his demanded Rantome, 2. *Kings* 18. 14, 15, 16.

If the Doctor will not owne this Act of *Hezekiah*; I am sure he will that of *David*, taking the hallowed Bread, which was not for any, by Gods Law to eat, but onely the Priests. This was devoted to God, (and not so much abused) and by him assigned to a speciall use: yet from that diverted, and lawfully without question.

And now I appeale to all Consciences; Whether the necessity of saving a Kingdome from the subversion of Religion, Lawes and Liberties, be not greater then *Dauids* necessitie was? And if [I will have mercy and not sacrifice] did justify *Dauids* act, will it not theirs, who in a necessity use or administer the power of the *Militia* or Armes, which ordinarily is only to be administered by the King? Neither will *Abimelech* the Priests consenting to *David* alter the Case: for it was devoted to God, and but in necessity he might not have consented, nor *David* accepted. Necessity then recalled that particular Bread, through devoted. So necessity may recall this parcell of power in question.

Thus the Doctors ground failes him for our Case; yet 3. see what he adds, [so although it were as they would have it that they give the power, and God approves (himselfe oft hath said, and cannot deny, but they give the Person "his power and if they take it from his person, yet they may leave it to his "Heire, but wee argue not for so much) yet because the Lords hand and his "oyle also is upon the Person elected to the Crowne, and then he is the Lords "Annointed, and the Minister of God, those hands of the People which were "used in lifting him up to the Crowne, may not againe be lift up against him, "either to take the Crowne from his head, or the Sword out of his hand; this "true inform'd Conscience will not dare to doe.

REPL. 1. Is not Gods hand upon a Judge? Is not hee the Minister of God? Is not a King bound to God and to his People to appoint Judges, who may lesse be spared in their Power, then the Monarch himselfe (for what is his Power when an Infant? Is not the Kingdome then administered Aristocratically? But there must alwayes be Judges and inferiour officers in a large Dominion, or all government is lost.)

Will the Doctor say that the hands that have lift up the Judge or Officer to his seat (that is the Kings hands) may not bee lift up against him to pull him downe and pull off his Robes, or take the Sword out of his hand? The interest that God hath in him, shall it preserve him in his Office, in case especially of *Mal-Administration*? But shall it (or hath it done) even so long as no offence is proved against him? The *Parliament* hath indeed desired it for Judges and great Officers; but hath it been granted? Or what meanes the putting out of so many old Justices of Peace lately, without any Crime alledged against them at all; of which more Countreys then one have at the Assises complained as a great grievance?

What will the Doctor say to this? Yet they were Gods Ministers and had the

the Sword committed to them. If hee say the King was their Superiour, and so might take their Authoritie away, but the people is not Superiour to the King.

REPLY. This satisfies not, because notwithstanding, here is a Person, in whom God hath an interest, and who is his Minister, deprived of his Authoritie: not only when he abuses it, but meerely at pleasure. The Dr. Reason then hath no strength in it thus faare, or this done to Inferiour Magistrates is not lawfull.

2. But secondly, what strength is in his Argument, lies in the Kings being Gods anointed, and therefore the Crowne may not be taken from his Head by Men, this I have granted him before, and am so farre from recalling or disputing against, that I will add this word of confirmation to it. Supposing wee speake of such a Prince or Monarch, (call him King or Emperour, or Duke, or what you will) that is not deposeable by the expresse Lawes of that Common-Wealth, as the *Duke of Brabant* was, and the *Duke of Venice* is, (for such as those Dukes were not properly supreme, nor Gods immediate Vicegerents, as *Saul*, and *David*, and the like) I say then, that though in case of Mal-Administration, an inferiour Magistrate may be Lawfull and most iustly, and necessarily deposed by the Kings Authoritie; I will not say the like so long as they carry themselves well, and are not meerely Annual Officers, who also are glad usually when their yeare is out, because their Office is a burthen and charge) yet a Supreme may not by the people, because hee is Gods immediate Vicegerent, and so specially owned by Him, and have none upon Earth, unto whom God by any expression in his Word, hath given Authoritie over them, to take their Crownes from their Heads. I say againe, as a Wife cannot take away her Husbands Authority, because she is in no sence above him. So unlesse the Law of that State, name a Superiour to him that is in Tittle, the Prince to take his Crowne from him, in such a case he cannot be deposed by the Law of GOD, which appoints no persons to do such a thing, to illustrate which, Let me add that in those times, when God allowed by the Judiciall Law, a Man to put away his Wife, It did not allow a Woman to put away, or forsake her Husband, though I know about our Saviours Time *Iosephus* relates of Women having gotten that, among the Jewes, at least some of them, as hee instances in *Salome* sister to *Herod the Great*, who put away her Husband. But God allowed it not. And so that may bee lawfull for a Prince who is Superiour to doe to an Inferiour Magistrate, which is not lawfull for the people to doe to the Prince who is Supreme, no not in a like case of Mal-Administration. I could instance in sundry other Prerogatives, in Gods Word to Superiours, which hold not (no not in like cases) to Inferiours, but it needs not with the *Parliament*, as hath been oft said.

2. But whereas the Dr. addes [*Not to take the Sword out of his hand*] This is in consequent divers wayes. First, himselfe in the former SECTION, in the case of *Elisba*, granted a private man, might resist the Kings Messenger, and even hold the Kings owne hands, sure he may (he doth that while equivalently) take the Sword out of his hand. Secondly, the people tooke it out of *Sauls* hand when he would have put *Jonathan* illegally to death. Thirdly. If hee would kill himselfe, it may be taken out of his hand. 4. Since out of all question God never put it into his hands, to kill the Innocent, nor much lesse to subvert Religion Lawes, and Liberties, he being Gods anointed and Gods Minister for good, &c, hinders not the taking the Sword so long out of his hand, till it hath beene sufficiently employed, to punish those Malefactors and delinquents which he should, but will not strike with it, or rather will defend and employ, S. Yet I say further, to doe that which

the *Parliament* hath done (supposing the necessary, of which hereafter,) is not to take the Sword out of his hand himselfe grants (as was noted before in his Answer to the 19. Propositions) that the two *Houses* have a legall power to punish, even such as doe violence being his followers or Favourites, though countenanced with some surreptiously gotten Command from the King: and moreover, that they have power more than sufficient to prevent and restrain Tyrannie. Their seeing the *Adulter* in safe hands, and the *Navy*, and securing *Hull* is by them declared to be for no other end, nor their raising an Army since. If then those that they would punish bee Delinquents, and if in them whom the King trusts there bee (though not at all in the King) an intention to bring in a Tyranny, even with Armes, and to subvert Religion, Lawes and Liberties (which is the state of the present Question) then by the Kings owne grants, as aforesaid, they may Legally and Lawfully take the Sword into their hands; and doe not take it out of Kings, but his wicked Followers. 6. But because the Dr. closes his Assertion, with, saying *This will not as a true informed Conscience dare to doe.*

REPLY. I will be bold to try, whether Conscience many not say, It dares doe no other then than this latter; (so farre to take the Sword into their hands,) whether even his Tower of Battery. *Rom. 13. 21.* not by what hath beene said formerly, and even now so wonne from him, as it is become ours to beat down his Principle in this first Question, to the very dust.

Secondly, I say the *Parliament* is a Power ordained of God, it is the Minister of God, It is to be a Terror to evill Works, It is to be a Revenger to execute Wrath on them that doe evill, It is to watch continually (as Gods Minister) in this very thing, and to to the praise of them that doe well (and so the securing of Religion, Lawes, and Liberties;) It is not to beare the Sword in vaine. And a sword it hath by the Kings owne sentence to the purposes aforesaid And this *Parliament* (what ever other might bee) is not deposeable (dissoluble) but by themselves. The Sword cannot be Legally taken from them till they give it up. It remains then that they are bound in Conscience to God, and to the People, and King too, that have entrusted them with this Power to use it to these ends, to punish Delinquents and tempters (though under Colour of surreptiously gotten Commands from the King) to subvert Religion, Lawes and Liberties; and to prevent Tyranny, and preserve themselves, and Religion, Lawes and Liberties. They may not onely Lawfully doe this, upon these Premises and suppositions, but they are by all Obligations to God and Man necessitated to doe so, and even to take away the wicked from before the King, that so his Throne may bee establishd in Righteousnesse. This is clearly the *Parliament*'s not onely Power, but duty. If they mistake in the present case (of which anon) yet the generall case stands good, they may and ought to doe so, to take Armes when such a case comes.

The Dr. hath somewhat more to say against the Peoples power, applicable to our Kingdome. Let us heare it also. [How shall Conscience be satisfied; concerning the Peoples power, derived from their Election, when our Kings are such "by Inheritance, and claime not by Election, and the Crowne hath beene oft seized "by Conquest.]

REPLY. Neither is Conquest any thing of it selfe to power, or Lawfull Authority, of which onely we argue; but only as it obtaines consent by agreement, which is all one in Sense, and Effect with Election. Only Election sounds more Freedom of will, Conquest imports a Force occasioning that will. But it is evident in Reason,

son, that he that is free (as all men are by Nature, (as was said before) except their bond to Parents.) becomes not subject, *de jure*, till his Consent, Agreement, or Election makes him so, and to no more then his Consent reaches, explicitly or implicitly: and so for many men, they can no other way be subject to one, to a Prince or Monarch, but by their Agreement, whether for feare of his Force, or hopes of his vertue, he is not their King or Lord, till he be made so by their Consent, I mean at first, and Originally. But what need I stand to prove this largely, when our Dr. hath confest it (in sense) before, in saying the designing the person and Qualification of the Power is from Men, Mans invitation what is this? put mans choyce Agreement, Consent together. And if there be 100. Conquests, the Conqueror hath not the qualification of his power one whit enlarged, by Right, untill the People have consented and yielded up their former Rights, and when they have, then his Right is tested accordingly, and to his successors, if so contented to, else not; and to his Heires, if contented to, else not; and to Heires male onely, as in *France*, or Female also as in *England*, according to the consent. Or if the Conqueror to obtaine the Peoples consent to him as his person, will offer to have less power then his Predecessor had, then upon such consent, the qualification of his power is lessened for ever after to him and his. Conquest then first or last, one or many, are no more to right of power, then an occasion or Motive to consent; consent Choise Agreement are all in all. Secondly, as for *Inheritance*, it is nothing but a succession of consent. Indeed posteritie are bound to the consent of their Parents for the Person, Family, qualification, but to no more. In all other Cases and respects they are as free, as their Parents at first were. A Prince then onely inherites, what was given the first of the Nation, or others since by consent of the people; and by written Law or custome, he must claime any power he will exercise; or else he cannot plead any right title to it. And his qualification of power admits of increase or decrease, as he and the People agree and consent. His power is altogether derived by Election and consent, first and last whence I will inferre no more, but as before, that therefore in case of necessity, the people may use to much of it as may suffice to save themselves from Ruine; and that may be inferred from it, by what went before. As for his Repetition of *Rom. 13.* and the *Roman Emperours* being Monarchs absolute, I need say nothing to now, I have said enough before.

After this he comes to the *Covenant*, and *Oath*, which the Prince takes to confirm what he promised, which he denies to make the Kings Admittance to the Kingdome altogether conditionall, as is the meere Elective Kingdomes of *Polonia*, *Swetland* &c. and that it is nothing to allow resistance, unlesse in the Covenant could be shewed, that in case he will not discharge the trust, it shall be Lawfull for the States to resist.

REPLY. The *Oath* is onely urged, to shew that the Kings Conscience is bound more firmly then what he is sworne to, and as a Testification of the Covenant: The matter sworne to, is the maine; nor that urged for an absolute forfeiture, but for the case of necessitie.

Secondly, in more Elective Kingdomes, the conditions of the Covenant are more largely perhaps and more solemnly explicate then in successive, and the Power is more Restrained then in some successive: yet consent being the foundation of succession, as was said before, a King that enters upon the succession, doth by that very act, before his Oath or Coronation, consent to the first Conditions or Covenant, those that have been made consequently, and in that sense his Admittance.

tance is altogether conditionall: not that the people may refuse him at their will, without new Conditions, but that he may not refuse the former Covenant, and Conditions by offering to take more power then those gave him (or his Ancestors which is all one) And if he doe, the people are not bound to obey those Commands (the Dr. confesses before) and I add: as before, they may resist his illegal Violences.

3. For now the case is all one, as if the choyce or agreement, Covenant, or content were originally made but yesterday. And then consider it. We are a multitude of Free-men, and whereas we might have agreed on an *Aristocracy*, We agreed on a King on such and such Covenants or Conditions, without mention that wee will resist if he break them. But simply promise Obedience on those Conditions, and he on those accepts the Crowne. But next day breaks all, and shewes hee is bent to subvert all Religion, Lawes, and Liberties. How now in Reason (for of Scripture we spake enough before) can it be supposed, that such a choyce or agreement, hath turned us into such Slaves, as we must onely suffer, and not at all resist, (or rather is not all reason plaine, that I have given away no more of my naturall freedom (which is to resist all violence and wrong) then I meant and exprest to give away. I say then, that unlesse a Nation have covenanted not to resist in such and such cases, they have power to resist, because it is a naturall right each hath against all (except Parents) so farre is it from my being bound not to resist, unlesse I have expressly covenanted that I may. Though withall I doe not say, that I may covenant at all to resist in no case, as I shall have occasion to shew anon.

Fourthly, in the meane time, if the Doctor grant that in case the agreement be, that if the Prince discharge not his trust, the states may take Armes and resist, as in effect he seemes to doe, when he saith, *that were something*, (for if he doe no such agreement;) Then is not all Resistance damnable, nor *now* 13. 2. Rightly interpreted by him. For this and more the *Brabancons* had in their Agreement with their *Duke*, even to choose another, as the Doctor himselfe tells us afterward. So ever now and then he must contradict his maine Proposition by the force of truth.

“ But he saith after, that [The slender Plea Election, is thought to have a Covenant in it, but usually the higher wee rise in all Empires the freer Kings were, and still downward the People gained on them.] And by this he would imply that specially in successive Kingdomes (as this) what ever may be said of merely elective States, there can be no forfeiture of power by breach of Covenant, made in after Ages by succeeding Princes.

REPLY. In the first times, there was a great simplicity in all covenants, in sale of Lands, and letting of Lands, and the like; yet no man ever sold, or gave away, or lent more then hee meant; though the force and fraud of ill men forced after Ages to more expresse Covenants. In like sort *Ex malis moribus bonae Leges*, (as well between Prince and people, as between common men) the tyranny of Princes forced People to require them to sundry necessary expresse Lawes. Yet these Lawes now for Phrase or expression, will not in reason, be thought more then was intended in the first simple Covenant, how briefe soever it were; for certainly free people, and in their right wits, never meant to enslave themselves to the wills and lusts of those they chose their Princes. But to be subject to them for their generall good; which when they found by experience

rience to be violated, or in danger to be so for want of expresse Lawes (specifications of the Generall Law or Nature, the generall good of the society) they were forced by necessity to require them to make such Lawes, for their generall safety, and particularly also to prevent inferiour officers from tyranny under the name of the superiour: and so to prevent all necessity of Armes within themselves. And some good Princes for their peoples comfort have even been forward of themselves to make such Lawes, which yet without our making, they were bound for the most part to have done accordingly for the welfare of their Dominions. The People then have gained nothing for the great part of Lawes for their Liberties, but ability to claime them as undoubted more then before; nor have Princes lost any thing almost, but a power of impoverishing & ruining their Subjects so much as before they seemed to have for the satisfying of their owne Prodigalities and Lusts. Still then it remains that the People had a right to all fitting Liberties, even after they submitted to a King: unlesse they expressly gave them away; as unto some Conquerours, the conquered Party were sometimes forced to doe. But yet (*N. B.*) even then the Conquerours followers, who were part of his subjects at that time, and by whole hands he conquered the rest, (whether more or fewer) did content and agree to the Peoples, and so their owne Posterities, having but such and such Liberties, and yeelding to the new Conquerour and his Posterity such and such Power and Authority. So still content gave whatsoever a Prince could or can challenge. I say then once more unlesse in the first foundation of a State, Kingdome or Empire (and this Kingdome particularly) the People did make their King to absolute, as to give away all power of resistance from themselves in any case; (which the Doctor I beleeve will never be able to prove of this, or any other Civill State) though they made no expresse conditions or Covenant, much lesse any mention of reserving a power of resistance; yet the Law of Nature allowed them still some Liberties; (what they were we shall have occasion to scan in the next Section:) and amongst them this for one, to resist any violence against themselves, in any thing that the Law of Nature did undoubtedly make them still Masters of, and was not subjected to their Princes power.

But the Doctor concludes his reasoning against such power of resistance to be in our *Parliament* with that which indeed hath least shew of strength of any thing he hath said yet.

Thus he writes, | where the King as it is said, never dies, where he is King before Oath or Coronation, where hee is not admitted upon any such Capitulation as gives any power to the People, or the representative Body as is pretended to; nay, where the Body cannot meet but by the will of the Prince, and is dissoluble at his pleasure, that therein such a State, such a Power should be pretended to, and used against the Prince, as at this day, and that according to the Fundamentals of such a State, can never appear reasonable to any indifferent judgement, much lesse satisfie Conscience in the resistance that is now made by such a pretended Power.]

REPL. This is the most plausible Plea he hath or any can bring, specially the latter part of it, about the calling and dissolving the Parliament at the Kings will and pleasure. But to this also as well as all the rest sufficient satisfaction I doubt not may be given before indifferent judgements and unpartiall

Consciencs, in the manner following. First, as the King never dies; so he never growes, he never hath more authority (unlesse by a new graut from the people) then his first Predecessor had; unlesse it can be proved, that the people then gave away their liberty of defence from outrageous violence, which all are naturally invested with; it is free for them now as well as it was the second day or houre after they chose or consented to their first King as was implied before.

Secondly, as he is King before Oath or Coronation. So he gives away none of his Rights in his Oath, nor doe the People when they crowne him. But he there professes himselfe bound by his Kingly Office to rule so and so, for the common good, and they yeeld no more to him, then they did to his first Predecessor, as before.

Thirdly, as he is not admitted upon any such capitulation in expresse terms, as mention this power of resistance in the people, or representative body, in case of Tyranny. So nor doe the people at his admittance expresse a yeelding to him such absolute power, as they may not, or will not in any case resist, I say againe and againe, it can never be rationally conceived the people have given away such a naturall liberty, such a necessary power for their common safety: Unlesse it can be proved that they have done so. The prooffe then before the Barre of indifferency of judgement, and unpartiall conscience will lie on the Doctors part not ours.

Fourthly, But he saith, the representative Body cannot meet but by the will of the Prince, and is dissoluble at his pleasure.

REPL. 2. It hath been *de facto* ^{multo}, but whether it bee altogether *so de jure*, may justly be questioned upon these grounds. First, for their meetings, when the Prince is an Infant, or if a prisoner in enemies hands, and so cannot give out a legall Warrant for their meeting; or if distracted, hath not the State power to meet in *Parliament* for their common safety, and the Princes too? They have met in the infancy or minority of Kings, and made Lawes, as in *Edw.* the 6. time, and not by the meere power of the *Protector*, for the Nobility after put him out (his head was cut off afterward by a Law made while he was *Protector*.) It was then, (and could be nothing else but) the inherent power of State, to meet so, in cases of necessity. Yet I beleeve there is no written Law for this; but the generall *Maxim* of *Salus Populi suprema lex*. And this will extend to the case of Tyranny, as fully as any of the former, if not more. Withall, did not the Lords in *Richard* the 2nd. time, call a *Parliament* without the King, wherein they had their grievances redressed; and this afterward was confirmed in the first of *Hen.* the 4th.

Secondly, then for their dissolving; It hath indeed bene very much practised by our two last Kings.

But our Histories (so farre as I remember) *quære* whether *Hen.* 3. did not dissolve some *Parliaments* in discontent? mention not any such thing as a *Parliament* dissolved in displeasure, or against the desire of the Houses. But as they meet very frequently, oft-times every yeare, sometimes oftner; (so that in the space of a hundred yeares there are counted above a 100. *Parliaments*) So they sate till they had ended the Princes and their owne businesses, which went much together; and so it never came to a matter of examination or discontent, the delay of calling them to meet, or the too timely dissolution of *Parliaments*.

liaments. Parliaments were not wont to bee so odious or dreadfull to Princes as within these forty yeares they have been. By whose default they have been so since, let the encroachments upon *Magna Charta* and the Subjects liberties direct any to judge.

2. But further, for both these. First, the *Parliament* averses that there are Lawes that therè should be a Parliament every yeare, and so they have abated of their Right, rather then gained upon the King by the Act of the *Trienniall Parliament*.

3. And for the dissolution, I have heard some wisemen affirme, that by Law it cannot be dissolved, while there are any Petitions of grievances, or such matters of importance, depending and unfinished. Whereunto may be added most justly, that in ordinary times Countrey Gentlemen and Noblemen, and in a manner the whole body of the Parliament, would be as sick of a long Parliament and continuall attendance as the King could wish, and would petition (rather then be tyed so by the legge) for a dissolution, or at least a Prorogation. And it's well enough knowne, that even this Parliament after the *Act of Continuance* past, were as weary of sitting, as need to be desired, till the *Rebellion in Ireland*, seconded by the growing evils at home, put new spirits into them, and forced them to that diligence of attendance and unwearied labours (so many as have taken the common good to heart) as no Age or Story can parallel here, or in any other Kingdome or Nation.

Thirdly, beyond all this I appeale againe to the *Kings Answer* to the 19. *Propositions* formerly mention'd; and aske whether if the King have absolute power to forbear calling them, at his will; and to dissolve them at his pleasure; it be not a meere nothing that hee saith the *House of Commons* have power to impeach his owne Followers and Favorites, who have broken the Lawes, even by surreptitiously gotten commands from the King: and that the Lords have power to judge and punish, and are an excellent skreen between the King and the people, to asist each against any incroachings of the other, and by just Judgements to preserve the Law, which ought to be the rule of every one of the three: and that the Power legally placed in both Houses is more then sufficient to prevent and restrain the power of Tyranny.

What serves all this for, when his Favourites will keepe him from calling a Parliament, perhaps all his dayes, unlesse unlook'd for nece sity force him to it? We haue bene our selves about 13. yeares without one; and had there not bene conceived hopes that there would have bene Money given against the *Scots*, it had not been then called as it was.

Again, what serves the calling them, when the same Favourites being questioned, shall counsell a dissolution? We have knowne that too, even three times in this Kings Reigne, and no other dissolution but on these grounds. And the last was within three weekes because they would not in all hast (and contrary to all former Presidents and Priviledges) give mony against the *Scots*, and embroyle the two Kingdomes in a perpetuall Warre, not having had one grievance redressed. And in the case of a Prince, bent or seduced to subvert Religion Lawes and Liberties (which is the Doctors Case propounded.) It is undoubted, he will if he can dissolve them, as soone as they offer but to punish any of his Favourites, and so to crosse the designe (unlesse he dare not, of which anon) because therefore I believe the King in that Answer, hath not

ascribed more then right to the *Parliament*. It will follow, that in right (specially in such case) they ought not to be dissolved. And that if by force they should be, (or should not have been called at all) the People have right to meet together, when and where they can, in a Parliamentary manner or otherwise: to such end as to defend themselves and one another from tyranny and the designed subversion of Religion, Lawes and Liberties, as hath beene often said.

Fourthly, but for the present condition of our Kingdome and Parliament, I must proteste, that as I admire the providence of God, in the Act passed for the continuation of this Parliament; so I doe for the forementioned expressions of the King in that answer. Which laid together, may to any understanding men, wholly decide this first Question betweene the Doctor and us in point of Legality in our Kingdome (if there were nothing else said or to be said) that supposing such a designe to subvert Religion, Lawes and Liberties. This Parliament hath (if no other had or could have, being dissoluble at pleasure) compleat power and Authority to doe all they doe; that so they may prevent and restraine the designed tyranny.

Fifthly, Yet I have one thing more to alleadge, supposing the power of calling and dissolving wholly in the King ordinarily; yet there may be such power in them so long as they doe sit to command Armes to bee raised for the suppressing of any Delinquents, maintaining themselves with Armes, even under the colour of the Kings Authority, which thus make good. (If there be any such kind of Power in the very Judges in their Courts at *Westminster*, for the whole Kingdome; and in their severall Circuits for the Shires they sit in; although themselves are made Judges at the Kings will meerey and put out ordinarily at his pleasure, and they can neither keepe Assizes at any time, nor keep any Terme any where, but when and so long as the King pleases to give Commission: if (I say) there be such a power in the Judges, and even in one of them; then much more in the whole Parliament, which is unquestionably and undoubtedly the highest Judicature in the Kingdome, and hath most power during their sitting. Now that such a kinde of power is in the Judges, I appeale to experience, in the case following

A private man hath a suite with the King about Land or House and the like. The King hath possession and some Officer or Tenant of his holds it for the King. The Judges having heard the Cause, give Sentence for the Subject, adjudge him to have the possession delivered him by the Kings Tenant or Officer; he refuses and armes himselfe to keep possession still upon this, after due summons and processe of law, a Writ of Rebellion shall goe out against the Officer of the Kings, (even though he should pretend to keepe possession still by a command and warrant from the King and the Sheriffe shall be commanded to raise Armes, even the whole *posse Comitatus*, if need be, to expell this Officer of the Kings, and bring him to condigne punishment from resisting the Kings authority in his Lawes.

Here now is raising Armes by the Kings legall Authority, against the Kings Title, and the Kings Officer, notwithstanding any pretended authority from the Kings personall command; and that Officer hath a Writ of Rebellion sent against him, and shall bee punished by Law, for offering to resist the Law upon any pretence. (Aske the Lawyer whether in sense this be not the Law, and ordinarily practised, save that the King doth not command the contrary; but

but whether that would hinder Law or not?) The Parliament then may in the case of necessity raise Armes against the Kings personall Command, for the generall safety, and keeping possession (which is more necessary then the hope of regaining) of the Houies, Lands, Goods, Liberties, Lives, Religion and all.

And this by the Kings legall Authority; and the resisters of this are the Rebels in the Lawes account, and not the Instruments so employed Legally, though with Armes by the Parliament.

If the Doctor now (or any for him) will retort upon me, as he thinks, what I said before, that if this be granted, a King intending Tyranny, will not call a Parliament; or if he have called it, he will straight dissolve it, as soone as they attempt any thing against his mind.

REPL. I reply, he will doe so indeed, if hee can perswade the people, by the Doctors Divinity or Law, to endure him and his followers to take away their Goods, and doe what else he list; and they for want of a Parliament called or sitting, dare not defend themselves at all. But if hee find, that they believe no such Doctrine; but without dispute of Law or Consciences, resolve rationally not to be robbed of their goods at pleasure, or used like meere slaves; but that they will defend themselves and somewhat they begin to doe, and beat away or kill some that come to take their goods away in such ill-gall manner; he may then be glad to call a Parliament to quiet the People, who perhaps also may begin to mutiny by troops; and be willing to sacrifice perhaps some of his Followers unto them (as *Emper.* and *Duals* were in the beginning of *H.* the 8. though they proceeded with colour of the penall Lawes) and even to provide for his owne Maintenance, as *H.* 3. In such a case some against his will call'd a Parliament, *Anno* of his Reigne. And that it may be, he will, not he dares not hearken to those that would perswade him to dissolve it, because then hee should bring all confusion (besides want) upon himselfe againe, which was *Hen.* the Thirds Case, *Anno*.

Therefore I conclude, that the Parliament (as I said before) may have this power, and upon advantage of the Kings necessities, and Peoples not enduring oppression, be able to exercise it, even though they meet not but at the Kings will, and are dissoluble at his pleasure.

And so I have said enough of this *Section*, except onely; that I must note, that in the close of it, he either thinks those he hath to doe with (Parliament and all) grosse fooles, or else he shewes himselfe extremely simple in reckoning up the remedies of Tyranny (though he love not to use so harsh a word; but we must when hee hath stated the Case for us of a Prince bent or seduced to subvert Religion, Lawes and Liberties;) The denying of *subsidies* and *ayds*, &c. If hee meane in Parliament, such a Prince never meanes to call any. If out of Parliament, this is the grievance, that he takes it against Law, by Ship-moneys and Monopolies, and Imposts and any way: and if they deny it, themselves are fetcht up by the Purlevants, and put in prison: and for not executing such illegall commands; Fined at pleasure halfe, or all their Estates; and perhaps starved in prison, or little better: Kept so close, that they fall sicke and dye. Nay, if the Prince proceed to command his Souldiers or Officers to kill without delay any that shall deny Subsidie or Ayd, though never so illegall.

Hath not then the Doctor propounded a goodly remedy of Tyranny, to de-

ny him Subsidy and Ayd? As if to quench a house a fire, hee should send for a paire of Bellowes to blow a coole breath.

Let him now consider whether hee uttered those words in scorne or in policie? and with what science or skill in common Reason (not to say in Politicks) and so with how truly an informed conscience he deales justly between the King and the People. We have yet some further strength of his reason to examine in the next Section. Of which now.

SECT. V.

IN this Section hee propounds this Reason as alleadged for the peoples Power, that else [*the State should not have measures for its owne safety, when &c.*]

REPLY. This Reason we acknowledge ours, and considering what a State is, a Body composed of many thousands, who by themselves (or their Ancestors) set up a King over them, for their safety and good, this Reason is as much Reason, as any thing can be betweene Man and Man: Nor shall the Dr. bee ever able to speake Reason in Opposition to it; himsele grants straight way, that *salus Populi* in a good Sence, is *suprema Lex*. And when a People, neither seekes nor desires any thing of hurt to their Prince, but onely safety to themselves, It is good in no sence, if not in this; to allow (I say more command) a State that hath any considerable strength to doe it, to defend it selfe, and so procure its owne safety, even by resisting if need be, by force of Armes. And though he jere at the Plea of necessity, when as he saith Right and just will not defend a thing, Yet if himsele were assaulted on the high way by one that offered to kill him and in his house in the Night by Robbers, would he say that either out of the case of Necessity, be a private man, or any Servants of his, might in right or justice kill another man, or that Necessity would not be a sufficient Plea, if in that Case any did kill such a Thief or Robber, not onely before men but God also. The Law among us allowes the Plea of *se defendendo* in such Cases, And Gods Law expressly, Against one that breaks a house in the night, though not in the day, as not admitting them a necessity to kill the thiefe, as the Text there plainly implies. As for his saying, [*Everything must be honest which is Sparæ utile, imagined to conduce to the proposed End;*]

REPLY. This is but a second calumny, of which his Treatise is full every where, neither profit nor Imagination is admitted or urged in this case, but necessity apparent, or judged imminent by Rules of prudence, which commands endeavour of prevention of extreme evils (such as the ruine of a States safety) even by care and Power before hand, as well as when it lies gasping under the pressure. Counsell in prevention is indeed better then help out of trouble: For by that lesse trouble is suffered, and lesse offence acted in the defence.

But these are but the Drs flourishes, for he will now stabbe this reason to the heart with diverse contrary Reasons, against all the plea of Necessity of safety. The first is that, this among others is one of the many Weapons sharpened for Resistance at the Philistims Forge, the Romish Schooles.

Reply. First himsele will not allow this to be reproach to him, or his fellowes in any of their positions, nor thinke it sufficient to make an Argument be rejected, because the Romonists have either used it or abused it.

Secondly, but he is deceived in paralleling the Cases. They pleade for the Popes Power of curbing or deposing Kings in case of Heresie, because else the Church hath not meanes for the maintenance of the Catholicke Faith, and its owne safety.

Reply. The Argument is not good, his Church is not a Civill State, but the good of it is mainly spirituall, and to be preserved by such spirituall meanes, as God hath appointed, who both instituted and constituted it himselfe, and left not to it, the ordering of its owne safety or good. But our case is of a Civill State, whose good is Civill and naturall, and is to be preserved by civill and naturall meanes, and so by Armes in case of danger, even from its owne Prince, bent or seduced to ruine it. The Dr. himselfe straightwayes grants, the State hath meanes of preservation such as the Law hath prescribed. If he can shew us any true meanes, in the case stated by him, but this power of resistance, I yield him the cause. If not he doth but abuse his Readers Conscience, to blind them with words, which are of no validity. But I have shewed him before, and must againe remember him, that in our *Parliament* State (by the Kings owne acknowledgement) hath such Power by Law to punish even the Kings followers and Favourites, as is more then sufficient to prevent, or restraine Tyranny. We aske no more for our safety. But when they will resist the *Parliament* by Armes, It hath no way to punish them, or defend the State but by Armes Which therefore it may lawfully take up.

Secondly, the Dr. addes (If every State hath such Meanes to provide for its safety, what meanes of safety had the Christian Religion in, and after the Apostles Times? Or the People then enslaved, what meanes had they for their Liberties? *Tertullian* in his Apologie saith, the Christians had number and Force sufficient to withstand, but they had no Warrant. And the Apostle forbids them, and all other under the higher Power to resist.

Reply. This example of the Christians not resisting is counted a Capitall Argument, we shall see what strength it hath. First it is brought in this place, for the Christians were neither a civill State, (of which the present Reason proceeds) nor neere to the greater number in the State. They had the Lawes (which is in some Sence the State) against them, and so they ever had bene, and the greater part of the body of the Estate by farre, were opposite, even in *Tertullians* Time. Though therefore the Church being properly onely a spirituall State, have not of necessity, civill meanes to provide for the outward safety of Christians: yet a Civill State, (whether of Heathens or Christians) may have and hath, which is by taking Armes, in case of necessity as before. But the Dr. saith the Apostle forbids them and all, under the Higher power to resist.

Reply. I suppose what I have formerly said on this place, *Rom. 13. 2.* may and will satisfie most Readers for that place. But the Drs. importunity forces me to repeate part of it here, and apply it to the case of Christians, even then, and much more now: And so I make bold to tell the Dr. that he doth most miserably wrest the Apostles words in this case of all others, which to demonstrate (I say to demonstrate) I appeale to the context after and before, and let all Christians, and Consciences, or even reasonable Men, Iudge whether the Drs. Interpretation be not most absurd. Thus the Dr. interprets v. 2. [Whoever shall take up Armes to resist *Nero*, persecuting the Christian Religion, resists the Ordinance of God; Rebels against God in resisting the higher Power ordained by God, and if hee kill any man in such resistance, he commits murder, & incurreth damnation for so doing.] This is the Drs. Sence plainly, and his words here and there, are fully so much.

“ much. Now marke St. *Pauls* Reason, v. 3. and make Sence of it, or Religion much lesse of it, if you can to this purpose. First, for Rulers are not a terrour to good workes but to evill. *Nero* is the Ruler here meant, persecuting *Nero*: Let the Dr. now tell me (or any for him) Is not persecution a Terrour to the Workes that are persecuted? and then is Christianity a good worke or not? *Nero* persecutes that, and is a Terrour to that, but so he is not to good Workes. Then belike Christianity is not a good Worke? Will St. *Paul* speak thus? or doth hee know what he saith, when he saith, Rulers are not a terrour to good Workes, therefore they must not be resisted? Christianity is a good worke, and *Nero* is a terrour to it (though by Gods Ordinance he should not be) therefore he must not be resisted. What can be more unreasonable, then to bring a Reason, which is quite against the thing it is brought for? to interpret then, as the Dr. doth v. 2. is to make St. *Paul* argue against himselfe, if you Reader (are not) should not be; and if you keepe the literall sence (are not) then either he speaks that which is false of *Nero*, and his Officers, and under Rulers, for they were a terrour to good Workes, if Christianity be a good worke, or Christianity is no good Worke. Let the Dr. take his choyce of the three. I have a fourth too take to formerly layde downe, which is that he speaks of Civill Legall Authoritie in civill Lawes as then in the Romane State and such like, and to Rulers according to them were not terrours to good Workes; as the Apostle saith.

Secondly, but see the Apostles next words, wilt thou then not be affraid of the Power, doe that which is good, and thou shalt have praise of the same, that is thou needst not resist, but onely looke to doe well, and hee will commend thee. But is this true of persecuting *Nero*? Might the Christians count this a safe course, of which they need not be afraid to practice Christianity? safe that is, for which the Power would not doe any thing against them; but rather praye them? did *Nero* so? Or could the Apostle thinke he would? Or did he deceive Christians in saying so? or condemn Christianitie as not good? or bring a Reason against himselfe? Some of these things must bee said, or else the Dis. Sence must bee renounced, it must be said that he meddles with no matter of Christian Religion here, but of civill Subjection to Civill Lawes, which Rulers according to their Power, would praise them for; and they need not feare such powers doing well.

Thirdly, add further what the Apostle doth, v. 4. [For hee is the Minister of God to thee for good,] Is this true of persecuting *Nero*, in the case of his persecuting? Whereby the Apostle proves he will praye thee, doing that which is good? Surely in an over-ruling Worke of Gods Grace, the very Devil is Gods instrument for Good, as to *Iob*, (and we may say Minister too.) And *Nero* not a whit more in the Act of persecuting. But this farre from St. *Pauls* meaning; For hee means a civill good, praying, and rewarding, and protecting. *Nero* did (St. *Paul* knew) quite contrary to this: He cannot then meane him as a Persecuter; and so never intends here to forbid resisting his Persecution.

Fourthly, goe one step further with the Apostle, which will yet make it more plaine if more can be; [But if you doe that which is evill then feare, for hee beares not the Sword in vaine, for hee is the Minister of God, a Revenger to execute wrath on them that doe evill] Evill contrary to Christianitie is Idolatrie, (for one thing,) and to make Christians Idolaters, did *Nero* and others persecute them, if they would cast in a graine of Incense into the Fire; by way of sacrifice to their Idolls, they were freed. Now is it St. *Pauls* meaning, If you turne Idolaters then feare,

fear, for *Nero* beares not the Sword in vaine, for he is Gods Minister, a Re-
 venger to execute Wrath upon them that commit Idolatrie? Or is Christianitie the
 evill they were to feare, as that which he used the Sword against, and that with
 great wrath and revenge? There is then nothing like the Drs Interpretation, In all
 theſe Arguments of the Apoſtle: but the cleane contrary, beſides what followes,
 v. 5, 6, 7. Of which ſee the expoſition before.

But some will say, was it then lawfull for the Christians, then to have resisted the persecuring Emperours? *Tertullian* and the Fathers thought otherwise.

Answer, first, whether it were or no, (of which by and by) most certaine, it was not forbidden in this, *Rom.* 13. 2, 3, 4. Yet this is the Capitall place. If any other can be found forbidding it, which the Dr. offers not to urge, further then what we have examined already, that is nothing to this Text. For no Logick or Rhetorick can extract that fence from hence; who ever they be, that have so interpreted it heretofore.

Secondly, but because of the great Outcry made of the Christians not resisting then, I will once more looke upon the Text, *Rom. 13. 2.* and compare it also with that before sc: v. 1. and see whether by a right view, it will not plainly pronounce Christians even then, free from passive subjection in case of persecution (supposing they had Force to resist, by their hands not tyed by Gods Ordinance from resistance, or at least wife, onely upon a speciall Reason applyable to that State of the Church: and Roman Empire, (of which yet there is not the least intimation in that place, but must be gathered elsewhere, as we shall see) and which is no impediment at all to Christians resisting the persecution now of Popish Tyranny.

If say then, Subjection to the Higher power is commanded, and resisting it forbidden there, upon this ground, because they are of GOD ordained under GOD, GODS Ordinance, [Note how all the words accord in the Originall, *ὅτι ὁ θεὸς ἐξουσίαν δίδωσι τοῖς ἀρχαῖς* whosoever resists, *ὁὐδὲ θεὸς τιτρώμενος* ordained under GOD, *διὰ τὴν θέλῃ* the Ordinance of GOD, all from the word *ταῖς* to set in order] that is: GOD hath given to men Power and au tho rity, to urge the execution of his Lawes, and to make some Lawes under him and his, and to punish according to the merit of the Offences, the transgressions of the one or the other. And so farre as this, they are to be subjected unto by every soule, either actively or at least passively, and not to be resisted, by willfull froward disobedience, and much lesse by taking up Armes against such Lawes, or them that exercise authoritie to them. But this is all the Authority GOD gives to any, and not to make Lawes against his, nor yet to punish those that obey his Lawes: And if any such Lawes be made, or any such punishment offered to be inflicted (even by reason of such Lawes made) they are not the Ordinance of GOD, He hath afforded them no such Authoritie, no such Power. Nay such Lawes and Relers according to them are the *ἀντιτάσεις*, the opposers and Resisters of GODS Ordinance, of the Law of Nature, or Scripture, or both. The Lawes therefore are Null and the Authority Null; *quoad hoc* as will be plaine by this instance. A King grants a Charter to a Major of a Towne to governe that Towne (with others, or alone, that is all one) according to his Lawes, and punish all Malefactors, and moreover to make some particular Lawes or Orders in the Towne, for the better keeping all in due Subjection and Order. This Major makes Lawes directly against the Kings, against the King himselfe, offers to sweare the people to another King. Are not those Lawes then Null and his Authority Null, so farre forth? or can it be thought, that because the King commands subjection

on to the Maior, and forbids to resist him, as long as he rules by the Kings Lawes, or by such as his Charter enables him to make, being not against the Kings; that therefore they may not resist him, if he would massacre them, (or under colour of his new made Lawes) condemne them because they will not be Traitors to their King, and submit to an usurper? will the Dr. say it? or any else? and is not this the very case if men will thinke of it, if a King should make (or hath made) Lawes, that men should worship the Sun, worship an Idoll, an Image? Are not these traitorous Lawes against the King, the GOD of Heaven? can any then, King, they or the Authority commanding them, is *quo ad hoc*, Gods Authority, Gods Ordinance or deny them to be resisters of him? The Lawes that are in themselves Null: the Authoritie Null: so farre forth: no kind of Subjection then is due to them in this from this Text. Nor is any Ordinance of GOD at all resisted in resisting them. Rather is it not a Duty [But the Christians did not resist, though *Tertullian* say they had number and Force sufficient.]

REPLY. Mr. *Goodwin*; in his Anticavalierisme hath very rationally shewed, first that in all probability *Tertullian* was mistaken in his Computation, if he mean it throughout the Empire. They might have some considerable number and so force in one place or City, and not enough in generall. Secondly, that if they had so, yet generally it was not knowne to Christians, and that is all one in such a case, be that knows not his strength dares not resist, no more then hee that hath no strength. Thirdly, that if they knew their strength, yet they did not know it lawfull to resist generallly. Some might know it, yet not preach it for feare; and if it were not generally beleaved, they would not resist. Fourthly, that there were speciall Reasons, why GOD might conceale this from them, this Liberty of resistance. Of all this there are many considerable things in that treatise. (*Vide*.) I will only adde this One, that if Resistance seems so unsuited now, it would have seemed much more then. The Christian Religion came in upon the Roman Empire as a Novelty, and neither they nor their Ancestours for many Generations had any Principles (but the remote ones of the Law of Natur.) to perswade them to give it Entertainment. So that to have resisted by Armes, would have seemed a great obstinacy and perverseness, specially in Reference to the Doctrine of Christ crucified GOD, (a Man risen from the dead and gone into Heaven) which the Pagans counted foolishnes, as well as it was a stumbling block to the Jewes. Also Christ himselfe founding his Church by his owne sufferings, would have them specially like him, in sufferings at the spreading of it in the World; Whereby he also got farre more Glory in that not onely his Church was preserved (like the bush in the midt of the Fire) in the midt of sufferings without resistance; But also it propagated mainly, and conquered by suffering meerly. This I say was then greater glory, then to have allowed them straightway to defend themselves, and resist with Armes: which also till a long time would have been in vaine, and to their hurt, besides Reproach without miracle. But now the case is much otherwise in regard of Protestants persecuted by Popish Princes, specially recalling Lawes of toleration, or changing Lawes establishing the Religion. For the Protestant Religion, to shew it selfe no noveltie appeales to that which the Papists cannot denie the holy Scriptures, and rejects nothing, (if even an impartiall Heathen were Judge, and umpire between them) which the Scripture calls to beleve or practise. Also it professes nothing, which the Scriptures reject. Therefore their resistance may much more be justified to their Adversaries Consciences, Who though they dare not deny the Scriptures plainly,

plainely, yet dare not trust to them alone to confute the Protestants by them, but put them to death, for things not onely besides the Scriptures, but even against it, as making and worshipping Images, Crosse, Crucifixes and the like. Here the same King and Lawes being generally acknowledged, yet will the Inferiour Governours, make Lawes against the Kings, and even Force the Kings Subiects, to doe Homage and even sweare Allegiance to another besides Him. Therefore they are not (in this) to be accounted Gods Lieutenants or Deputies, or their Lawes of any Validitie, but they may be resisted, as Rebels against the King of Heaven, while they pretend to be his Servants. The Roman Emperours then, as meere strangers, in point of Knowledge or Profession, were rather but at best for the time to be convinced by suffering then by resistance. But pretended Christian Princes (specially after a toleration, and most of all after a Legall Establishment) turning Persecutors of that truth which is in the Bible, he themselves professe to hold; may be resisted in a Defensive way. And there is nothing in the Bible to gainsay it: And whether now the Christians might also have resisted as soone as they had any strength, (if ever they had any before *Constantinus* Time,) I leave it to others to iudge. For upon the Grounds fore noted, it hurts not our Cause at all; if they might not.

" The D. proceeds, so doe I (fit bee replied that things being so enacted by " Law, it was not lawfull to resist. I answer (saith he) all that proceeded from those " Emperours, were merely arbitrary, and enforced upon the Senate, who did " not discharge their truth, &c.)

Reply. First, what is tyrannously done against humane Law may be resisted as we have said; and so may, (by what we have lately proved) tyrannous Lawes directly and clearly against God, and his true Religion; and therefore if ever we should be so unhappy (which I hope will never be unless the people believing this Drs. Position, betray this *Parliament*,) that a *Parliament* should joyne with a King to cast out the true Religion, and bring in Popery; and so make Lawes against us, which are now all for us (yet might we resist; and not suffer our selves to be massacred or condemned, for not consenting to be Traitors to the King of Heaven (LORD Jesus Christ) whom yet they would pretend to rule by, and for him. If any man can shew me, that it is Gods Ordinance wee should submit and suffer in such a case, I shall not refuse to yield; but I confesse I cannot see it. though I know even those that defend the resistance now used Lawfull; affirme it were not lawfull, if the Law were against us, as it is for us. But how humane Lawes made without against GODS Authority, can hinder me from the Liberty granted me by the Law of Nature, to defend my self from outrageous Violence, being altogether an Innocent, I cannot see, specially in a case concerning GODS immediate Honour as well as my safety.

2. If Lawes cannot tie my hands in all Cases (in the forenamed) from resistance, much lesse an Arbitrary Power. (but of that, it will be convenient to discourse a little further; and apply it also to Civill Matters, as well as to Religion, wherein we shall also see whether all Civill Lawes doe so tie us, as none of them neither may be resisted, and if any, which? and which not?)

I say then an Absolute Arbitrary Power, or absolute Monarchy (as some call it) is not at all the Ordinance of GOD; and so no lawfull Power secured from resistance by *Rom.* 13. 2. First GOD allows no man to rule as hee list, to make what Lawes hee list, to punish how and whom hee list. But his

Word speaks the Contrary every where. Secondly GOD not allowing, Men cannot give it, to a Conquerour, or any other. They can give but what GOD allowes, for they have no more their owne, in that sence. Now no man can give any thing but what is his owne. Thirdly, particularly, no man is allowed by GOD, or can be made by Man, an absolute Monarch, a meere Arbitrary Prince in point of Religion. I am farre from denying Authority about Circumstantialls in Religion. But I meane, he hath no Authority to bid what GOD forbids, or to forbid what GOD bids; or punish them that obey GOD rather than him. GOD never gave this Power, nor can men give it. Fourthly no Monarch hath any Power from GOD, or can have from men, to violate the Chastity of any. A Law of *Platoes Community*, is null, because against GODS expresse 7th. Commandement, and may and ought to be resisted. (yet now we are among civill matters.) Fifthly, no Monarch hath any Power from GOD, or can have from men, to take away the life of his Subjects, any one at his meere pleasure, or without a Law broken, (whether Civill or Martiall.) and knowne to the Transgressour, or which he ought to have knowne, and might (which *Jonathan* could not, hee had no meanes to know of his Fathers Oath being then made, and in his absence) *Lycorgon* his Law to destroy all Children that were deformed, or weakelings, and *Pharaohs* Arbitrary Command to destroy all the Israelitish Males, were both alike tyrannous and null: and might have been resisted. In all these cases there is, I say, no absolute Monarchy, no meere arbitrary Power. Lawfull, none that is GODS Ordinance. And whosoever challenges such Power, is (in that) not GODS Deputy, but an Vturper, whether King or Cæsar, Roman or Turkish Emperour or any other. Sixtly, but the only Cases wherein a Monarch may be absolute in Matter of Liberty of mens persons, of Goods, and manner of Judaciall proceedings, and making or taking away Officers and Honours and such like, in those I grant, that as GOD denies not, but a Monarch may have absolute Authority (onely he must use it to Good) so men may give away their Liberty (by Feare or otherwise) and become much enslaved to their Princes Will, in comparison of what others are. And if any bee so (which I beleieve not of the Roman State, though much was done arbitrarily by the Emperours) I yield they may not resist though they be sorely pincht. They may thank themselves who bound their owne if therefore our *Parliament* in after Ages (or this by being forsaken by the People, seduced by the Dr.) should so enslave us, we must beare it and not resist, because it is our owne Act, who choose them and put all such things into their hands, but in other things we should not, could not be bound, as I said before.

The Doctor hath a third Reason [We cannot expect absolute meanes of safety and security in a State but, such as are reasonable]

REPL. If by absolute meanes of safety and security hee meane such as God cannot defeat; we grant what he saith, or such as God hath forbidden. But if he take it of rationall means; he saith nothing at all that allotts any means which are not absolutely sufficient (according to humane proceedings) to procure such a safety as a State shall need. A State is a most consideral le body, and may challenge all possible meanes which God hath not denyed them; and so even a private man may, being altogether innocent, except where a greater good then his Particular life, calls him to venture it, or yeld it up. But there

there is no greater good on earth (in civill respects) then the safety of a state. Therefore all meanes not forbidden from Heaven are reasonable, and to bee expected and used, though not expressly provided for (that is mentioned) in the Fundamentalls of this Government, which the Doctor would require. Then he falls a commending the excellent temper of the three Estates, King, Lords, Commons, having each a power of denying.

REPL. They have so; in making particular Lawes. But the Quest. now is of exercising the generall and maine fundamentall Law of all States, to save the whole from ruine and subversion. Here though all three agreeing (and none denying) makes the safety more secure, and more comfortable and honourable. Yet no reason, but in a Co-ordinate Power (as here it is plainly so; see the Fuller Answer to the Doctors Booke) any two or of three or even any one of them, rather then all should faile and be dissolved, should have Power to endeavour the common safety which the others neglect or intend to subvert or betray.

And I verily beleve the Doctor himselfe or any other of his partie (if hee forbear not to say so much least it should be retorted on himselfe) will confesse that the King and the Lords may save the Kingdome from ruine. without or against the House of Commons; and the King and the House of Commons, without or against the Lords: and which is yet more, the King alone without or against both Lords and Commons. For indeed, this is the very thing now pretended by the King for his taking Armes to save the Protestant Religion and the Lawes, and his owne Rights, &c. which he saith, the Lords and Commons (whom he termes the Major part of both Houses present) intend and goe about to subvert. And if they did so; certainly all true Subjects and Patriots ought not onely not to joyne with them in their Armes, but to joyne with the King in his against them.

And if it could be possible that all the three Estates should agree to ruine Religion and the State; even the Body of the People, should (by vertue of the power which each State hath for its necessary safety) have Authority sufficient to defend themselves, and resist all outrageous Attempts, of mischief (as hath been proved before) though then for want of many conveniences and perhaps of wisdom to manage it, the defence and resistance must needs be much more hazardous and difficult. The power therefore of denying, and so all other power in each of the 3. Estates, and in any two of them, or all the 3. together is given, and is to be used *ad Edificationem, ad Salutem, non ad destructionem*) for the common good and safety, not ruine. For in that it is *Null* and voyd in all reason and equity. But the Doctor saith. Must the King only trust and not be trusted? Must he not alwayes have his security against the other, which cannot be but by power of denying?

REIL. 1. But he forgets that the Question by himselfe stated is. when the Prince will not discharge his trust; and more then so, is bent or seduced to subvert Religion Lawes and Liberties. Then it is fencelesse to trust him, till he shewes another a better mind; and it is most ridiculous to allow him in this case a power of denying safety; for that is to allow him a power of subverting all. 2. But when the Qu. is (as now it is made in *Hypothesis*;) whether the Prince or the two Houses do mean well or ill? and who doth or doth not discharge their trust, and who doth or doth not intend the subversion of Religion.

ligion Lawes and Liberties : who can be Judge betweene them? or who can amongst men decide the difference but the Body of the People? Exercising their understanding and consciences to judge who is in the right, (by all that hath been said and done on both sides formerly, and of late) and so their power and strength too to defend the right side, and resist the wrong-doers? And these whether the Doctor (or any under Heaven) will or no, must have, and will have the Power of denying or granting meanes for their owne and others safety and security.

The Doctors reproaches against the *Parliament* I passe. Only where he sayes [Conscience might demand for its satisfaction, Why should 100. in the House of Commons see more then 300? or 20. in the House of Lords more then 60. that are of a different judgement and withdrawne?]

REPL. Satisfaction may well be given: First, by saying it is evident the major part of the House of Commons, when they were most full, were all that way, that 100. are now (though that be a slander for but a while since there were 300. there.) The King a yeare agoe in *1648.* last commanded all that were in the Countrey to come up, which certainly most of them did. Yet no Votes but this way they goe now; onely things were not then at the height they now are. 2. If yet the Major part were of another judgement they would certainly come and vote and end the businesse. The House hath often called the absent, and punished some for it; certainly they knew then there were not enough against them of their Members to over-vote them 3. They that are wilfully absent, are offenders against the Law and the common good; and so are not to be trusted; or thought to have wisdom, to see things right how many soever they may pretend to be. For also 40. being the legall number for the House of Commons to vote any thing: It is against all Rules of Politick Bodies, that the absence of others, (there being the Legall Number present) should hinder or discredit any Vote or Act of the Legall Body. One judge of Assize, two Commissioners or Arbitrators, and the like, suffice for any Business: and though still the greater number, the more honour and comfort; yet a legall number must and will ever suffice. 5. As for the Lords, who pretend their absence forced by reason of Tumults. First, this by an Almanack, (as the Doctor speaks elsewhere) may be confuted, the greatest part of those that came, and after withdrew; stayed a considerable time after the Tumults, till the King was gotten to Yorke, and begun to call them away. And if his calling them away, or their withdrawing themselves shall have power to make the votes or judgement of a part that are yet resident there (as the D. hath learned to call them) *Null*, or not to be regarded: then have the King, or such a number of Lords, and Commons, even out of the Parliament-House, power to disannull a Law (even the Law for the not dissolving of this Parliament, without an Act for it, which must passe all the 2. Estates, both Houses and the King and in which each have their power of Denying.) And this alone (what ever might be pretended against other Parliaments) makes the legall Votes of the two Houses, the full judgement and Authority of the whole representative Body of the Kingdome, how few soever be present, or how many so ever be absent, and upon what pretence soever. 2. But withall, if I were Confessor or Chaplaine to any of those Lords that have withdrawne themselves and upon pretence of the Tumult, deny to returne: I would make bold

to aske them this Qu. in their eares (for their consciences satisfaction, as well as mine owne) which City and Countrey rung of them, and which produced such and so many Petitions, for the settling of the *Militia*, and helping *Ireland*, and outring the Bishops and Popish Lords out of the House of Peeres; whether their refusing to concur in the reliefe of *Ireland*, and in securing the Kingdome, even in petitioning the King for the settling of the *Militia* (which yet the King after, acknowledged necessary to be settled,) were not the true and only cause of those tumults that were? And if so, where was their judgement to see the means of safety, or their conscience to provide for it? And then whether their owne guilt did not more send or drive them away, then any violence of the Tumults? Which tumults yet I approve not, nor ever did. But if God so punished those that would not discharge the trust, it is easier to answer that question, why so many remaining should see more, that is better; then thrice so many (if so many) dissenting and withdrawne.

As for the Doctors preferring Monarchy before Aristocracy, hee shall not have me for his Adversary; who thank God, I am borne and live (and hope to dye) under a Monarchy; though not absolute, as the Doctors Position would make him (when he listed) though the Doctor wisely disclaimes any such intention, But for his reasons, why a King should seee better then the Major part of both the Houses; because he sees even with their eyes, though dissenting from them; and hath other Council besides, and that he hath many reasons to perswade him to consent to their free and unanimous Votes: All this is most unreasonable as the Question is now stated, of a Prince bent to subvert Religion, Laws, and Liberties, (for we are still upon that generall supposition in this *Section*) for whatever they see, he will be sure (as farre as he sees his owne strength) to consent to nothing that shall hinder his designe. And therefore to plead his power of denying, or his wisdom in this case, is to yeeld him all power to bee a Tyrant. Which after all, the Dr. will yet prove he hath so farre as he may not be resisted in it, by the inconveniences that will follow if he have it not. Heare his saying: [Such power of resistance would be no fit meanes of safety to a State; but prove a remedy, worse then the disease.]

Reply. If he can shew this, he doth wonders. What? worse then subversion of Religion, Lawes and Liberties? For that is the disease. Surely all these are of little worth with the Dr., if he will maintaine any thing in a State, to be worse then these. Sinne indeed in the practicers, is worse, then the suffering of the worst Tyranny: But that is not properly in question in this *Section*, but the Civill Inconveniences of resistance though I grant they may prove sinnes too, as things may be managed? but otherwise, it is evident, no Civill Inconvenience to remedy such a Tyranny, as is in dispute, can be so bad as the disease.

The Dr. once more urges, *Rom. 13.* and by *ver. 3 4 5 6.* would faine prove, that the Apostle shewes the evill and inconvenience of resisting Tyranny.

Reply. But I have shewed more then once, that the Apostles Reasons are quite against him, and he saith nothing to prove that hee abuses not the Apostle, (not vouchsafing, I doubt, not daring to quote the words as they lie, lest every eye should see how hee perverts them, much lesse offering to Analyze them: or shew the strength of the Reasons, which I have done against him:)] Onely he repeats what hee hath before told us, in generall that although the

powers were then altogether unjust, &c. Nothing answerable to the end for which governing power is ordained. Yet doth the Apostle draw his Reasons against resisting them from that good Justice, Order for which God hath set up the higher Powers.

Reply. This is as good a Reason, as to say, God hath ordained Ministers, Pastours, to preach and administer his word and Sacrament, and pray, that his people may be saved: Therefore though the Ministers, Pastours, be careless, and neither afford the People any Word or Sacraments, or prayers; or false Teachers, and pervert Word, and Prayer, and Sacraments: Yet the People may not seeke their Soules safety, from some other, that will bee more faithfull, even though not attempting to put those evill Ministers, Pastours, quite out of office; but leaving them in their places, still to see if GOD will give them better minds. Only not trusting them so long, as they shew themselves notoriously unfaithfull. If to deny the people this bee reasonable, because God ordained them ministers, Pastours, for their good, though they that are such by Office doe nothing toward it; then the Dr. may pretend hee discourtes with some reason. Which yet will not satisfie the Apostles phrases, as I have abundantly shewed before.

But he saith [the Apostle would insinuate that the resisting of the Higher Powers even when they are Tyrannicall tends to the overthrow of the Order which is the life of a Common wealth, not onely because there is still Order under Tyranny: but chiefly because if it were good and lawfull to resist the power when abused it would open a way to the people to resist and overthrow Powers duly administred for the executing of wrath on them that doe evill.

Reply. All this is altogether contrary, for 1. The Apostles words, will bear no such Insinuations as I have proved. 2. If Religion, Laws and Liberties be subverted, what Order is left under such Tyranny? Sure whether Civill order be or not, no Religious order is, which yet is more worth then the life of a Common-wealth. God hath often overthrowne Common-wealths for subverting this Religion; But never in his Word preferred the ordinary Order of a Common-wealth (or the Common-wealth it selfe) before his Religion, so as to bid his servants suffer that to bee subverted; even when established by the laws of a Common-wealth rather then the order of the Common-wealth should be endangered by it. 3. It is a Signe the Tyranny was deeply and desperately resolved, if it cannot be resisted by a meer defence, but that must tend to the overthrow of the life of the Common-wealth. 4. The tyranny breaks the Order, stabs at the life of the Common-wealth; and yet the Dr. is so zealous an advocate for it (however he deny it) that (he cryes where first) he cries out of the danger to Order. 5. To tend to the overthrow of that Order which is the life of the Common-wealth, may be a fallacious phrase. Doth it tend so necessarily, or in the intention of the Resisters? Or rather contrary? Or doth it so tend to overthrow it, as the Tyranny to (be resisted) doth? All remedies of violent and desperate diseases, doe in some Sort tend to the overthrow of the Life of the Body: Yet none saies the remedy is worse then the disease, which that is knowne to bee mortall, the other may prevent death. 6. This opens no such gap to the people to resist and overthrow power duly administred, as the Doctors doth open a gappe to Tyranny. If a man, a Prince feare not GOD, and know his people principled not to resist him in

any case, what can hinder him from all kind of Tyranny.

And I would it were not evident that the presumption of this had made way for what we feele. I am sure the Jesuite *Conizes*, (whose principles have been followed step by step among us, see *Mr. Newcomens Sermon on Neh. 4. Preached last Nov. 5. to the Parliament*) encourages a Prince to attempt the subverting the Protestant Religion, though establish't by Law, because the Protestants will not Rebell for the cause, nor ever did. The Dr. seconds him well. But now a people, if voyd of conscience, yet will find it hard (and thinke it so, if they have any wit) for them to hope to overthrow powers duly administred. It is not so easie a thing, multitudes will stand (as their duty and their comfort experienced commands them) for such powers. And the Order that is settled, will much help to repress such unruly disorders. And though there be examples in Storyes of people that have prevayled against Tyrants: Yet I remember not one, that ruling according to Laws, was overthrown by the people; namely in settled times; for the souldiers mutynies, against the *Roman* Emperours, *Pertinax*, and others, will not reach this case. Finally Wee are farre from saying, that pretences suffice, or even that every act of Tyranny allows of a Nationall resistance; But such as (in the case by the Dr. stated) shews (or gives just grounds to believe) a designe to subvert Religion, Laws, and Liberties, or any of them.

But the Dr. will illustrate or prove his inconveniences 3. wayes.

[1. This power of resistance if admitted and pursued may proceed to a change of Government. The principles that are gone upon, and have carried it on so farre as we see at this day may also lead it on to the greatest of evils.]

Repl. Is not the King much beholden to the Dr. that will needs urge the Parliament to those consequences they have professed to have no thought of, and in their late Declaration in maintaining that of *M. 26.* do professe to be unlawfull

2. If hee meane deposition of the King, or which is more, change of the Monarchy into *Aristocracy* or *Democracy* I deny that this may proceed necessarily or Rationally from a necessary defence, unlesse the Dr. will undertake to prove that the state by no resistance or defence can bee safe without deposing their King, or taking away Monarchs, which hee neither will nor can, as I durst undertake against him: if that were now the *Qu.* in hand, which I hope shall never be. Though sure, there is no such temptation to it as to see Tyranny acted, and all sober necessary defence, cryed out upon as Rebellion, all bloodshed in such defence murth'r, and the end of it damnation. And when Religion (if ever it should bee) is onely laid wast by the countenance of such doctrines, improved as the Jesuite Advised, then if a people should be greatly oppressed in their Civill liberty, there might be some danger, they would deny the Drs. grounds, and all their allegiance and respect to Monarchy together. And I dare be bold to say it, Monarchy never received such a blow since States were; as the Countellors of Princes and Court-Chaplaines have provoked men to give it. Because Kings must be absolute, and People meer slaves, formerly in doing, and now in suffering.

3 He saies [This power of resistance, when used and pursued, is accompanied with the evils of a Civill Warr &c.]

Reply. 1. Whose fault is that? Suppose the people, that is, a great many
I Papist

Papists would rebell, unlesse the King and Parliament would subvert Religion, and bring in popery; and take away all the Lawes that displeased them: must they doe this to avoid the evils of a Civill Warre? and if not, then neither must the Parliament or People sacrifice Religion, Lawes and Libertie, to the feare or danger of a Civill Warre. No war so bad as the *Parisian* massacre, or that of *Ireland*. The King of *France* commanded the one, the Irish people the Rebels acted the other. In a Civill warre wee may save something; and after recover all: Under a Tyrannie not to be resisted, we have nothing, have lost Religion, Laws and Liberties, and have neither goods nor Lives, Wives nor Children that we are sure of a day to an end. He that rationally prefers such a Tyranny before a civill War, surely hopes (upon some speciall grounds, that Tyranny, will be none to him, who pleads so well for it's indemnity; but rather an advancement to him; much good may it doe him.

3 He saith the people may be discontented even with the Parliament and so it will come to *Cade* and *Tyler*, and overthrow all government.

Reply. 1. I have satisfied this Objection for the maine of it already. 1. That it is lawfull for the people to resist even the Tyranny of a *Parliament*, when altogether outrageous, (as in our *Quest* on) not else. 2. That the principles of defence cannot be drawne to a necessary change of the Government. Of which I adde 2. Reasons. One that the defence will suffice without it, if wisely managed to secure the safety of the State and Religion; so: morally. For still men, some or other, must be trusted; and those that discredit themselves a while may merit a trust againe afterward: Enough for their honour and comfort and not too much for the Common-wealth, and they need not be trusted (as before) till they do merit a trust againe. And yet no opposition much lesse change of government. 3. The next government (suppose each shire (as the *Dr.* talks) a Common-wealth, and all governed by a *Folkmoot*) is still liable, in all reason, to mischiefs, as bad, or worse, then were in that government rejected. And this they among the people, that are not growne barbarous and brutish (by suffering Tyranny and losse of Religion and Liberties, by the *Dr.*s principles) may be made so sensible of; that they will never offer to attempt such a madnesse. 3. Make a people Religious (as much as man can make them) and let them enjoy the comfort of doing that which is good as *S^t Paul* speaks of Rulers praising such. And then the Rulers need not feare the multitude of them (though some will ever be wicked) that they will Rebel and change the Government. The People indeed by *Absaloms* flattery Rebelled against *David* a righteous and just Ruler. But there was more then ordinary in that *GOD* threatened it to him, for his adultery and murder. They did not so, to the great Reformers *Asa*, *Iehosaphat*, *Hezekiah*, *Iosiah* specially yet questionlesse they 2. offended very many; for the Princes and People, as I noted before on a speciall occasion) were very bad even in their times. Some Papists as did rebell against King *Edward* the 6. and some against Queen *Elizabeth*. But both soon and easily subdued. *GOD* will not suffer, a just Prince or State, to be troden under foot (*David* was humbled not overthrown) and men will still be found to take thei parts. As then *S^t Paul* bids Christians, doing that which is good, not feare the powers he exhorts to submit to and not to resist, that is legally ruling by Civill laws under God.

So I may say to Rulers (Kings and Parliaments) doing well, Ruling according

ing to GODS Ordinances they need not feare the power of Resisting Tyranny in the peoples hands, which I say againe, [Though people have often used it, and prevailed against Tyrannous Governors, yet never did they prevaile against Just Rulers, to Depose them, or much lesse alter the Government. Tyranny then (helped forward now by the Doctors Principles,) will be onely that that in a despaire will drive People to Cántoning and Rolk-moots (if any thing will) and not at all our Position of a sober necessary Defence.

The Reasons that the Dr. hath brought againh Resistance, are so far from being the Apostles Insinuations, that they are wholly insufficient to discredit it with Reasonable and unpartiall Men, to whom (next under GOD) we Appeale. His conclusion *Ergo* repeating that because some must be trusted, therefore *Ergo* the K is still (I must tell him) most unreasonable, when his case supposes he will not ditcharge his trust, but is bent to subvert Religion, Laws, and Liberties. (So perpetually the Dr. doth or will, forget the State of the Qu.) The King ought ordinarily to be trusted, and a just King (a *David*) is worth 10000. nay 100000. of us his Subjects; but the will and Lust of such a Tyrant as the Qu. speaks of, is not to be satisfied upon one (*Ionathan* or *Nabab*) the meanest of those thousands; yet it must be, if he must still be trusted when he is bent upon extreame Tyranny.

What the Dr alleadges further of the Oathes of Allegiance and Supremacy and the late Protestation, prejudices not defensive Resistance, no more then Scripture and Reason hath done. The Oathes of Allegiance and Supremacy are onely to the Kings Legall power and Authority, which no man disputes against. The Protestation is to defend as far as lawfully I may, according to the duty of my Allegiance, His Majesties Royall Person, Honour and Estate, and a defensive Resistance, intends no hurt, but defence and maintenance of him in all these respects; and so was never protested against. It is therefore vaine that he addes, [The Kings power cannot be prevalent for the good of his people unlesse it be preserved to him intirs, unlesse he hath a power of denyall and of chiefe Command of Armes.]

Repl. But we Argue not against a King intending the good of his people; but bent to subvert all Good, and this indeed hee cannot doe, unlesse their hands be tyed, by some such Positions as the Dr. would make them believe, that they must not deny him his power of denyall of their safety, when hee himselfe (or others under him) meanes to subvert all Religion, Laws and Libertie.

And now after all these discourses, the Dr. spends above a Page (in the 1. Edition) to summe up his strength, and boasts of his Victory enough and enough. But how justly the Consciences of his Readers and mine must and shall Judge now, and God above all. To whom I very willingly appeale as well as he, or any other; who for mine own part, have even in this discourse, shewed I am no Idolizer of the Parliaments, nor carryed away with it (as hee charges) as the Papists with the name of the Church, nor yet do I thinke Religion may be defended any way. For it may not be with lying, nor with doing any thing that God hath undoubtedly forbidden. But he hath forbidden such defensive resistance as I have Argued for, my Conscience finds not, notwithstanding the Drs. bigge words, continually misapplying the indeed

terrible sentences of the Apostle, against unlawfull Resisters of the Lawfull Power.

And so I have done with the maine of the Drs. Booke, which concerne a Divine. The 2. last *Sections*, are matters of fact; wherein it is more easily to satisfie a mans owne Conscience, then discourt of it publicly: because it brings persons much on the Stage: and some of it cannot but reflect on the King. Of whose honour I am so tender, that I would not willingly have an unworthy thought of him. Neither will I yeeld to the Dr. or any other living Man, in my zeale to His Royall Person. Honour. and Estate according to my protestation. Yet somewhat must be said, and the Drs calling for it, will deserve little thanks. nor yet his pleadings for all the actions done, if they be well examined. To that therefore though unwillingly, I come.

S E C T. V.

IN this *Section* he propounds the sum of his second and third generall, which are much matters of fact. Yet in this above the major part of Votes, hee again slides into matter of right and most illegally and unjustly argues against the major part of Votes as against a prevailing Faction. But if conscience may refuse (or suspend) to content to such Votes under that pretence, in vaine do all numerous Bodies meet; For this principle of his dissolves, and blowes up not only all Parliaments, but all other meetings, Civill or Ecclesiasticall. For how seldome are any matters of great importance, once controverted, & concluded by an unanimous Vote of all, as one man? And in remote places, who can be assured in conscience it was so, though said so? And what a new doctrine of Politie is this, to make every one, in a great Assembly to have a meere Negative, as this upon the matter doth. The King hath it not, in this case, much lesse any other single Man. But he will not say so, if the Major part should Vote any thing that pleases his *Doxorship*. If they would Vote the Re-establishment of Bishops Votes and Authority, this were Good with him no doubt, but if it be against his Positions, then it's but the prevailing of a faction. So unjust and partiall are Men that dispute and Argue for their own Interests, though with pretence of Conscience.

- But he first repeats what he had told us in his first *Section*, that it is agreed,
 1. That this Resistance must be, *Omnibus Ordinibus Regni Consensientibus*.
 2. That it must be. *Legitima Defensio a meere Defensiva Resistance*.

Repl. For the first of these if some agree to it, yet all do not: I cannot for the Reasons oft insinuated and inserted in what went before; meaning it as he doth here of an Unanimous consent in Parliament, for not onely a legall number Voting, suffices to any Parliamentary Act, being the Major part present. But if no Parliament were called, or could meet through the strength of a Tyranny already prevailing. Nor the Nobility and Gentry and Commons so much as send one to another, to know one anothers mindes, through the severall Shires of a Kingdome, yet might any one Shire, or part of a Shire, begin to take up Armes to defend themselves by resisting Outragious Attempts of Tyranny against their Religion, Laws, and Liberties, and that from the Naturall Liberty, that all have to be no further Subject then God hath com-

commanded, or themselves consented with Gods consent; and this originally belongs (as an inseparable priviledge of a Reasonable Creature,) to each person single, and from thence is derived to Parliamentary and Representative Bodies, and so in Case of such necessity, is not bound to waite, their Assembling, or Votes, nor to be concluded by them, if Assembled they should Vote the contrary by a Conspiracy with the Tyranny: But each may defend himselfe, and each by the Law of charity, may (and should) also defend his Neighbour, but especially when the danger is common; as all may without any Votes or Commands, runne together to quench a common fire, stop a breach made by the Sea, resist a Forraigne Invading Enemy: Without I say, and even against any Votes or Commands (if any should be) to the contrary. Though still I grant, *Omnibus Ordinibus Regni Consensientibus*, out of Parliament, and much more in Parliament, (or the Major part consenting, and much more, few or none dissenting :) makes the defence more Honourable, more Easie, more Successefull; Onely I cannot yeeld it as absolutely Necessary to the lawfulnessse of the defence.

But the Dr. proceeds, and would insinuate, that the resistance begun (in the point of the *Militia*) not onely found opposition, specially in the Lords house, but also that the Votes were not free. And that their proceedings are declared against by a greater number than doe remaine in either House, such as have beene cast out, or have withdrawn themselves in dislike of their proceedings.

Reply. Now we are come to matter of Fact, and here in many things which the Dr. hath in these two *Sessions*, never any people (that desired to satisfie their Consciences) had such advantage, by all sorts of Declarations, Diurnalls, and Writings, summing up, and repeating actions, and proceedings, both since the businesse of the *Militia* specially, and even sufficiently before, that he that will goe by an implicite Faith, as the Drs. phrase is, or beleve only one side, is inexcusable if he be misled. All then that that needs be done, to understanding and vigilant Consciences is, but to awaken their memories, and send them to their Almanacks (as the Dr. speaks) or their Memorials, and apply them a little to their hands and hearts. To that then the Dr. saith, may be replied, first, that there was need of setting the *Militia*. When once both Houses petitioned it, the King himselfe acknowledged it. Yet it was opposed a while by some in both Houses, (but the Petition was not consented to at the first by the House of Lords.) No marvell; there were Popish, and Popishly affected Lords, whose designe, at least to keep Popery among us still, and in some of them no doubt to advance it, by the ruine of this *Parliament*,) would have beene hindered or spoiled by the setting it. No marvell then such opposed it; who also as was noted before, opposed the succours of *Ireland*, till all the Kingdome almost cried out upon them and it, with whom joyned (to their great Honour) at least the most, if not all, the Bishops present usually. Only once (as I remember) for *Ireland*s businesse there were two or three Bishops consenting. But when once those were outed, and the Popish and popishly affected withdrawn, (even before some of them withdrew) all Votes passed for the *Militia*, as now it is. Let consciences now judge, whether ought to be stuck to, those that were for it, or those against it? Secondly, it is altogether false, that a greater number of the House of Commons have declared against the proceedings; then have been there, and voted their continuance. About 60. (and not many more) have been cast out for their notorious malignancy, and many of them for Actual

Warre against the *Parliament*. But there was ever the Major part for the *Militia*, and so for the consequent proceedings. Else (as I said before) why came not the Major part, to outvote them, and set all Right? Let Conscience judge.

The next thing the Dr. would prove, is that the *Parliament* is not upon the Defensive; and then that they keep within the Defensive.

In the first, he puts two questions who was first in Armes? and what is the Cause of the Armes? In answering the former, because he speaks of an Almanack, I must remember him, and he seems onely to thinke of 1642. But 1641. must not be forgotten, nor throwne aside as out of date. There we finde first a *Memorandum* of the Northern Army intended to bee brought up against the *Parliament*. By the good then, the chiefe Actors and projectours of it. fled beyond Sea in all haste, after once the *Portugall Ambassadour* had disclaimed to Mr. *Wadsworth*, that he knew Sir *John Suckling* (or had any Commission to desire Forces from the King for his *Mrs. Service* (who yet listd and payed diverse Officers and others, and gave out that he was to goe into *Portugall* with three or 400. Secondly, there we finde a *Memorandum* of a great Lord that said, when the Scots were once gone, they would teach the House of Commons better manners, who now did what the list, or to this effect. Thirdly, there we finde a *Memorandum*, that about one and the same time, there was first a strange businesse (GOD will in due time clear it,) in *Scotland*; and Secondly, the Popish Rebellion brake forth in *Ireland*: and thirdly, the *Parliament* was many wayes threatned in *England*, by Libells of severall kinds, Quæres, whether any Acts passed while two Armies were in the Kingdome were valid; Relations of Plots against prime Members; many intelligences of warning from forraine parts. fourthly, there we finde a *Memorandum* of the Irish Rebels, boastings of their Partie here, threatening to invade the Kingdome. 5. There we finde a *Memorandum*, that the King brought Winter with him out of *Scotland* (as he went thither in a kind of storme, against the earnest advice of both Houses, and after a severe speech made by the Lord keeper in his name and presence) all clouds and never a Sun shine day all the yeare after. The priviledges of *Parliament* infringed in two or three things, ate, the two Houses declared to him by a Petition of Decem. 14. The *Parliament* guards dismissed, and a new one denied, though they desired to trust the then Lord Chamberlaine of the Kings House: but another was offered to be put upon them, under the Command of the Lord Chamberlaine of the Queens House. All these *Memorandums*, the Almanack of 1641. affords, which all put together, makesome what toward the necessity of a preparation for Defence, at least by petitioning for the *Militia* to be raised. (*Est non placens singula, juncta juvant.*)

But now no sooner doth our Almanack of 1642. appeare, but first it presents us with the accusation of the 6. Members; and secondly, straight after with the Kings coming to the House of Commons, to demand the five Members of the House. The carriage of which businesse, by the Kings Attendants, if any one will be ignorant of, let him be so; *Res ipsa loquitur*, the thing it selfe was so in the sight of the Sunne, as was incapable of a mistake; yet did an Answer (to a Petition of the Major, and Aldermen of the City, upon the occasion of a few dayes after,) say that the King had no other Attendants, but onely Gentlemen armed with their Swords. Thirdly, about a week after, the King withdrawes to *Hampton Court*, and never returned to the *Parliament* since, (nor ever passed any Bill, save that against Bishops Votes, and two or three about *Ireland*;) of which what the Lord

Lord Digby said to the Cavaliers, that came to the House of Commons, and how he behaved himselfe at *Kingstons* upon *Thames*, the Parliament hath sufficiently declared; and in their Defence of their Remonstrance of *May 26.* have shewed, that it is evident he did so carry himselfe, though it have bene denied. Fourthly his Letter (after he was fled) to the Queen, and another to Sir *Lewis Dives* counselling the King to retire to some strong place, on which the Attempt on *Hull*, hath made an unhappy Comment, (and another since that surprised, written to the Queene, signifying what Counsell he gave the King in a Letter, about that time which hath bene ever since followed.) Fifthly, the *Militia* denied for Cities and Corporations, (upon pretence of a Petition from the City of London, contrived by *Binion*, and some few others) which was of the greatest consequence for the Parliaments safety, and to keep out forraigne Forces; and this when the Houses thought the King had granted it; (the meane while the Queen goes for *Holland*, in a strange season of the year, and on a small occasion, (the Parliament having the year before, given *Resolutions* against her offering to goe beyond Sea, upon another pretence,) and how she hath done since her going over, is too well knowne. Finally the *Barke of Newcastle* in a disguised habit and Name, and Captaine *Legge*, (two persons that were named in the businesse of bringing up the Northern Armes) came to *Hull*, and one of them, I remember now not which, but the Papers will tell,) shewed the Kings hand for to have had *Hull*, and the Magazine delivered up to him. And all this before the setting of the *Militia* by an Ordinance, or Sir *John Hosbame* taking in Forces to keep *Hull* safe. Let Conscience now judge, whether all this gave not just occasion, for a preparation for Defence: and of a long time after this, nothing more was done, the *Militia* settled in very few Countries, till the Kings proceedings hath further warned them, to stand upon their guard, in other places besides *London*.

It is true the King for a time had nothing but Proclamations and Declarations to oppose them. But after he was once gone Northward (and the Queen beyond Sea,) what did hee ever doe or say, but in opposition to them? and while his Declarations renounced all thoughts of Warre, notes were sent over into *Holland* for Armes, and a beginning of an Army raised at *Yorke*, under the name of a Guard. When first the Houses having petitioned the Removing the Magazine at *Hull* to *London*. (Upon a counter-Petition of a very few Gentlemen of *Yorkshire*, pretending the name of the whole County that it might be kept cleare still) the King goes instantly to *Hull*, and demands entrance, intending as he declares to the Parliament after that he meant so to doe) to take possession of the Towne and Magazine, and dispose of it: and being denied, proclaimes Sir *John Hosbame* Traitor, without any proceffe of Law, or sending first to the House to know if they would owne it; and after demands justice to peremptrily, as to deny before hand all other busineses, but that of *Ireland*, (and how well that was done, we must remember anon) and then was the Army raised under Colour of a Guard the *Yorkshire* men, not coming in readily enough to make it appeare a great Army.) And all this before ever it was declared by the Houses, that the King seduced by wicked Councell, intended to make war against his Parliament, and so before ever they set out the Propositions for Money, Plate, Horses, and therefore certainly before any one man was listed. In all which the event hath shewed, that they were rather in wildome too slow, then in conscience too quick in their Preparations for defence.

fence. Remembring also, that as soone as the Ship (Providence) was come to them (a providence indeed to discover what was before intended) the Siege was straight laid to *Hull*, and the Declarations then spoke another Language: then common men understood them to speake before. For after all the Lords present with the King had subscribed (about *June 16.*) that they law in the presented Guard, &c. no intencion of Warre against the Parliament: within few dayes, the King tels them, that if to seeke to recover *Hull* and the Magazine (then at *London*) and suppress the *Militia* in all which the Parliament was engaged as much as could be) were to make Warre against the Parliament, he ever meant to doe these things, and had ever declared so; though I beleieve none that beleevd him did or could so understand: Let Conscience now judge who began first.

As touching the cause of these Armes; the Doctor would perswade us, that it is for something which the King hath right to Deny. To evince which, he first affirms, that it cannot be for Religion or Priviledges and ancient Rights and Liberties; for these the King doth not deny.

REPL. But now sufficient verball promises, with such actions done (as were noted even now) are to secure Religion or the State, Conscience must judge, and it may a little the better, when we come to consider them againe in the proper place for them (for here they outrunne their season like Abortives) in the next Section. Secondly, he saith it must then be for denying the *Militia*, the disposing offices of State, and such like; also the government of the Church, and the revenue of it; and for not denying his power of denying in Parliament.

REPL. 1. For the *Militia*, I referre to what hath beene said, how just reason the Parliament had to petition the securing it, and after to settle it (as in case of necessity) by Ordinance. Of which their Declarations have given more full account. 2. For disposing Offices of State, it was never desired, till the difference was very farre advanced, and *Hull* attempted; and Sir *John Horham* proclaimed Traitor, and the Army raised at *Yorke*, called a Guard. And so onely desired as a Security after such a breach; and no way a cause of the breach; Thirdly, For the Kings power of denying, it was never in question betweene him and them, till the *Militia* was absolutely and peremptorily denied. And in all their Declarations they never take it away; but contrarily in the defence of that *May, 16.* they grant, that though the King be bound by Oath and care of his people, not to deny any Bill for generall safety and good (for in ordinary matters they yeeld he may deny) Yet if he doe deny, it is no Law without him. Onely in case of the common safety, they say the two Houses may doe what is necessary, and it binds the Subjects for that necessity, though he doe deny. The denyall then of the *Militia* only, in the case of necessity (with other things noted before) forced them to doe what they did toward Armes; and not any difference about a power of deniall in generall. 4. For the government and Revenue of the Church. I beleieve indeed, it was a part of the cause of taking Armes; but not on the *Parliaments* part: the major part of whom in either House, never (till very lately) declared, nor shewed any purpose of taking either away quite, but only reforming (which the Doctor saith his Majesty is alway ready to agree) as may appear even by the great agitations for so long in the Houle of Commons of
the

the Bill against Episcopacy root and branch; and at last it was wholly laid aside; which shewes the major part never owned it as their delight. Else they would first have absolutely concluded the destructive part; and then consulted what to have in the roome. But to consult first for Successours; was *Parvius* his Policy to preserve the Senatours of *Capua*; though he made shew to condemne them all. And had the Commons past the Bill against them; yet did the Lords never shew any such intendment, who were not easily wonne to take away their Votes, till their Protestation against both Houses in their absence helped to perswade them to it. It can then no way appeare to Conscience that ever the Parliament had thoughts of Armes, to obtaine their taking away. But, I am verily perswaded, by all I could ever heare from the Episcopall Party; that their feare of this made them (who had still enough of the Kings care and heart.) urge the King to many Actions, which have helped the Warre forward. Among the rest, I cannot but note one, not a weeke passed betweene the 12. Bishops for their Protestation before the King first accused of high Treason, the *L. Kimbolton*, and the other five, and then came in that manner to the House of Commons to demand those five. And whereas the Doctor saith the King is bound by Oath to maintaine the Government and Revenue, as by Law they are establish't.

REPL. 1. He discovers a secret to us which we understood not before. All men stood amazed at the late Oath to this effect for the government; and among other Arguments against it, not a few considerable men of the Ministry and Gentry before the Parliament lookt at it as an injury to the King, and opposite to our Oaths of Allegiance and Supremacie (and so the Parliament did in effect vote it) because it urged men to sweare never to consent to alter the Government, which yet the King and State might possibly judge fit to be altered. But we never thought that the King was supposed bound by his Oath to it already; and much lesse that all Kings in succession would be bound (as now the Doctor teaches us) by their Oathes to maintaine it as it is by Law established. This it seems they presumed upon, and so thought to have made all sure, by swearing all the Ministry and Universities, and Masters of Arts, and Schoolemasters, and Physitians, who would have had influence enough into the whole Kingdome within awhile. But God laught at this Project; turned it upon the Head of the Projectours and all the Party, as appeares this Day. And so I am perswaded He will doe, all their Present endeavours of Warre to recover themselves. 2. But in good earnest doth the Doctor (or any else) thinke the King bound by Oath to maintain Bishops still in England (though he hath consented to take them away in *Scotland*, to prevent War) even though he hazard the ruine of the Kingdome by a Civill Warre? and notwithstanding any inconveniences represented to him by the complaints of his People, and the wisdom of his *Parliament*, and his owne too? Or doth his Oath bind him to any more then to maintaine them so long as they are establish't by Law, as he sweares to maintaine all his other Subjects in their Rights; and yet an Act of *Parliament* may alter many things in mens Rights. Are not all Rights of Church and State (which are not properly *jure divino*) compromitted to the *Parliament*: the three Estates, King, Lords, Commons, every time they meet? And may they not alter and change this or that, so farre as it is humane and establish't but by the Lawes of the Land? The Kings Oath then binds not him and his *Parliament* from taking away Bishops, if they judge them

them (not *jura divino*) and their continuance to be prejudiciall to the State and Church; (and so of Revenues the same may be said.) 3. And if the Dr. will not admit this Answer, but still contend, the King did sweare to maintain them (at his Coronation) as they were then by Law established. Is not the King beholding to him for charging him with Perjury (as in effect he doth) since it is evident that by taking away the high Commission Court, and their power in their Courts of imposing Oathes and Penalties, and after that their Votes in Parl. hee hath not maintain'd them as they were by Law established, when he took the Oath.

How the Doctor will answer this I know not: sure I am, if any Minister having taken the Oath (never to consent to alter the Government as it now stands established,) had offered to petition such a taking away of their governing power; he should quickly have beene accursed as a perjured person, and accordingly to dealt with. It remaines then that the King onely swore to maintain them according to Law; while they should stand by Law, and not to bind himselfe from any Law-making, though to take them away, in case it should appear to be for the good of Church and State. And if this be not made good that their taking away will be so; let us all fight for them. But if it be, woe to those men that hazard the King and two of his Kingdomes (*England and Ireland*) once more: (as before they would two yeares one after another, have hazarded *England and Scotland*) to maintain Episcopall greatnesse and Authority. 4. What degree of Reformation (or any thing like to the Primitive Bishops) did they ever offer to be reduced unto? which might have contented Parliament and People both, if ever propounded in earnest, to have asked no more. Or what cure for any effectuall Reformation have any of them (or their Party) ever shewed since the Parliament met, to have rendred it any way hopefull that they would be good instruments hereafter? 5. If therefore after all warnings, they will needs put the King still on (as it appears even by the Doctors words) to fight for their maintenance: Let them remember Mr. *Brightmans* Prophetickall Interpretation of the spewing out of the Laodicean Angell. And though a vomiting sometimes makes a mans heart sick, and ready to dye; yet where he hath strength of Nature it comes up at last, and proves happy cure. Which in this case (if it be Christs act as it much seemes to be) will not faile to be fulfilled to our comfort at last, how weak soever it bring us first. I conclude this then, that as Phylick is upon the defensive; so much more the endeavour to cast up the humour which unprovoked or but a little stirred, endangers the Bodies health by Inflammations &c the like. So the late voting down the B^s. was merely defensive; and the War, so much as it is to maintain them, themselves are and ever were upon the offensive, and offenders, in and the Parliament not at all.

Now for the managing of the resistance, the Doctor offers to examine whether it hath beene so void of Hostility as that defensive way, they pretend to, should be. Let us examine it with him. Here he contends 1. that the Defendant should be of answerable demeanour to *David* defending himselfe against *Saul*. R^{sp}. But he may be pleased to consider, that as all that handle the difference betweene an offensive War and a defensive, do rationally maintain, that he that is outrageously injured (as *David* in his Embassadors, 2 *Sam* 10.) Or dangerously threatned; is but on the defensive; though he be actually in Armes first, through diligence and some advantages perhaps: so a man keeps

keeps himselfe within the bounds of a defence, though he actually offend him that does, or that would assault him, and even though he begin first. So *David* did in the former case, invading the Ammonites Country, and yet he was properly defensive. So a man on the high way, if a Robber should assault him; if he could prevent his blow and strike first, it were but in his owne defence: but much more to strike againe and kill (if he cannot otherwise defend himselfe) which yet is the highest degree of offence betwene party and party. *Ob.* But *David* still withdrew and having taken the Kings speare and cruse, he restored them without demand. *Rep.* True, but I have formerly given the reason why he ever withdrew, *Pag.* I need not repeat it. And as for the cruse and speare, he took them not away for feare of being hurt by them (as now Ammunitiones and other provisions) but as the Dr. well sayes, to shew *Abusers* neglect and his own integrity; and therefore when they had done him that service, he restored them without demand. But the *Parl.* cannot fly from place to place like *David*; they must keep at *Westminster*, or dissolve themselves; and they have offered to restore that which they took to prevent their own and the Kingdomes being mischeved by it: so that security might have been obtained for time to come; witnesse the Petition sent by the E. of *Holland* and others to *Beverley*, while *Hull* was besieged. In a word there hath been nothing done in this kind, of all that the Dr. reckons up, which meer necessity hath not forced; and most of those things must have beene done by *David*, if he had kept *Keziah* against *Saul* as he desired and meant to have done. 2. And whereas the Dr. further urges [that the Kings loyall and peaceable Subjects are assaulted, despoiled of their Armes, goods, estates, their persons imprisoned, because they would according to their allegiance assist him in this extremity; or would not contrary to their conscience, joine with them against him] *Rep.* This concerns two sorts of persons; and for both though somewhat differently, the satisfaction to this allegation depends upon the justice of the defence it selfe. For 1. if the *Parl.* do justly take up Arms, then without all doubt (however the Dr. talks of an implicit faith) they may seize upon the arms goods estates, persons of those that actually under what pretence soever) assist against them. Though if their defence be not just, then all this is confessedly a multiplication of injustice: but if they may fight with the Army that opposes them, they may disarm &c. those that strengthen the army with monys &c. 2. as for those that only would not, contrary to their conscience joyn with them against him, I have 2. things to say. 1. If any of these have in former times any way promoted illegall commands and practises it is much to be doubted they can bring but slender proof of their forbearing to joyn with the *Parl.* out of conscience. There is nothing more easie then to pretend conscience in all controverted points. But hee deserves not to be beleaved in his pretence, that hath been but even now (and much more if he be still) a violatour of rules of conscience in other respects. It is wel known how tender they have been of other mens consciences in needless Ceremonies, in illegall Innovations, in prophane violations of the Lords Sabbath and the 4th. Com. who now cry conscience to save their mony, or to weaken the *Parl.* 2. If any be really conscientious in the point; yet upon the necessity of a just defence the *Parl.* may as well secure their persons, and specially their Armes, and levy some monies upon them as in a common danger of a forraign enemy trenches may be digged on a mans Land or Forts built even against his will; and in a fire breaking violently out the next house may be pulled downe to save a towne or many more houses. Though it is also true, that such

ought to have recompence afterward when al the danger is over, and so I doubt not, but all truly consciencious shall have in due time. When it shall appeare they only forbear out of conicience, and did no acts of malignancy withall; nor spoke malignantly against the *Parliament* and their just proceedings.

The Modesty of some (of many) that have suffered a great deale worse within these few yeares, then the Parliament makes their most Malignant Prisoner, suffer may sufficiently shew, what a Conscientious refusall signifies, if it be no more but so. And if the Parliam. have nothing more to Answer for then rigour against such, the Dr. will hardly prove, they have transgressed the bounds of a lawfull defence. His reproaches therfore in the close of this *Self*. I let passe, and come at last to his 7. & last *Self*. wherunto, if as good a reply can be made as to the former, I shall not much doubt the Sentence of Conscience (of any one who is unengaged or impartial) in the whole Question between us,

SECT. 7.

WE are now come to the Tendrest Peece of all the Rest; and how confidently so ever the *Dr.* charges the Parliament and all that cleave to them with Rendring the King odious, &c. and saith it concernes them so to doe; yet it shall appeare by what I have to reply to him in this *Self*, how little delight I have to make the King Odious; and that the Parliament also hath and doth as much as lay in them to put off all Imputations from the King and charge them (as the Law doth) upon his Councillors, Judges, Followers and Favourites. Here 1. let me remember him; that whereas in other Kingdomes, some Favourites, when they have seen their Prince endangered, have rather taken his actions upon themselves, then cast theirs on him, and been content to Sacrifice themselves rather for his safety, then expose him to shield themselves. It hath been the continuall practise of the plotters against our Religion, and Liberties to Entitle the King to all their Illegalities and Oppressions; There can scarce that Grievance be named (if we except the Ship-money which was devolved upon the Judges, and yet it is well knowne how they were tampered with in the Kings Name) which they have not Fraudulently gotten the King to own as his Act; and this is their constant practise to this day, who then hath laboured to make the King Odious? or whom did it concerne but they? that so far as the people would finde fault with any thing, they should be forced in a sort to finde fault with the King; and this also helped to Charme all Tongues, and tie down all hands, till they provoked the *Scots* beyond all degrees of sufferance, to come in with an Army and demand security in and by an *English* Parl. aswell as one in *Scotland*.

2. Next whereas the Dr. upbraids the Parliament and People, [That it seemes they are men that would be loath to suffer for their Religion, they are so ready to fly to Armes to secure themselves]

Repl. 1. It ill becomes a pretender to, and Disputer for Conscience to speake this Language that hath lived to see how many sufferings (though not resisting to blood, striving against sinne) many even of the Parliament, but specially of the Ministry and people have yeilded to within 16. or 18. yeares, and never thought of flying to Armes, but rather of flying out of their Native Country, as thousands have done: Unlesse the Dr. will undertake to justifie, all that was imposed upon mens Consciences all this while; And if he will do so he shall save many Consciences a labour to judge with what a Conscience hee Writes. 2. Doth he thinke, that they could be so simple as not to force

foresee that their very flying to Armes was and would be a great suffering, and might prove (if God should defeat them) the meanes of extreame suffering. A people so taught, so enured to passive obedience, and no way enured to Warre, could not be supposed willing or forward to engage themselves, their purses, or much lesse their Persons, against the Name of their King: and each day since the first Necessity hath continually founded this out, so that they had no reason to be forward to fly to Armes. 3. By what I said on the former *Section*, and added with the Petition by the E. of *Holland* (even now mentioned) It appeares they did not fly to Armes but fly from it, as far as they could and durst. 3. Whereas the Dr. often in this *Section*, in the beginning, middle and end, insists mainly, upon the breach of Charity, in suspecting the King, upon Remote feare, and meeke Jealousies, causelesse Jealousies &c.

Reply. This may sufficiently be satisfied both in the behalfe of the Parliament, and then of the People that adhere to them joyntly and singly. For the Parliament and people both joyntly; This may justly be said, 1. The Dr. mistakes, it is not simply a Jealousie of the King, but rather of the Kings Councillors and Followers, who find so much favour with him (as they and others did before the Parliament against the *Scott* and us both, and *Ireland* too, witness all their heavy complaints against the Great Favourite *Strafford*) that they are able to put him from time to time, upon these Actions which his goodnesse of it selfe, rightly informed and counselled, would abhorre; and hath so often declared against, and yet Actions againe have discredited those declarations, as the Memory of those that have been awake cannot forget, both Referring to Religion and Liberties and the Parliament Remonstrances do amply set out, besides other Books. If therefore Security be once obtained against such persons; I am perswaded the King will be no more suspected; and in the meane time, it must be a strange Charity that can chuse but suspect them. 2. Where the danger is of much importance, both for Greatnesse of Mischiefe and Inevitablenesse according to Man, if not timely prevented; Charity to our selves (and others) will not onely allow, but commend, and even command to suspect and accordingly prevent, such dangers by suspecting Persons and Actions which in lesse matters they would and might and should venture to trust: Fire neere straw or Gunpowder, is to be suspected more then neere hard wood. Hedge-breakers and breakers of Houses are not equally to be suspected. Religion, Laws and Liberties are precious things and may be sooner lost then recovered. And his Charity hath drunk of the water of *Loche*, that forgets these were lately attempted and endangered. (The Kings own Declarations acknowledge Laws and Liberties have been broken.) And how since the E. of *Strafford*s death, all the old Projectors are become Converts, is too hard a morsell for Charity to swallow, when it must hazard such deare things to many of the same Persons againe. Specially seeing still, what they have done since the first sitting of the Parliam. toward their old Projects, as hath been partly noted already and somewhat more must be said by and by.

Next for the Parliament alone. They are the great Councill of the Kingdome, the publique Watch-men, the Highest Court of Judicature, it concerns them therefore to exercise their Charity, for the safety of those that have trusted them. Charity towards Attempters against a City, is none of the Vertues of a Watchman, nor toward Attempters of dangerous Treasons against a King and Kingdome, the Vertue of a Judge. Were they onely to looke their

own Liberties or Lives, their Charity might venture much further, then now it may, when they must Answer for Religion, Laws, and Liberties (and so Lives and Consciences) of a whole Kingdome, of 2 Kingdomes, *England* and *Ireland*, as formerly of *England* and *Scotland*, if not rather then, and still, of all 3. in a degree. Who would not Curse their Charity, detest their folly, if by their Credulity, all this should be betrayed and ruined. If Rhetorick needed in this caute, no Subject could deserve it better, then to cry down such a pernicious Charity, as this would prove, if they should be deceived with credulity.

And then for the People alone, have they not a charity to exercise toward the *Parliament*, as well as toward the *Kings* Followers; whom have they trusted to be publike Watchmen, the one or the other? Whom hath the law trusted to be the great Councell and chief Judges, the one or the other? Who hath pleaded for their Liberties the one or the other? 12. *Subsidies* were demanded (with intent thereby to engage us in a bloody War against *Scotland*) in the *Parliament* of *April*, 1640. Onely for taking away of *Ship-money*. But this *Parliament* hath proved it so illegall and other things more, that it was taken away without any cost at all, by way of *Exchange*, and many other happy Lawes hath the *Parliament* passed, and obtained for us. But what one thing did the *Kings* former Councillors move him to offer to his people, by way of prevention, for State or Religion, in a whole yeer together? To whom then must the People exercise their charity? Must they condemn their watchmen, as scaring them needlessly with *Old Enemies*, discredit the law that saith, [No dishonourable thing ought to be thought of such a great Councell, such a high Judicature.] And that when they more then ever any *Parliament* before give account to all men, of all their Actions and the grounds of them? Well, shall that People deserve a ruine, that believe *Old Wolves*, rather then their faithfull Dogs, then their Councell of Shepheards: That shall thinke themselves bound to be charitable, to tho'e that have attempted their ruine, and uncharitable to those that under God have hitherto saved them. In a word, let those that love Religion, and Laws, and Liberties compare the best actions on the one side, with the best on the other, and the worst on the one side, with the worst on the other: and then let charity judge (if it dare, or can) the *Parliament* Fooles or Traytors, to GOD and the KING; and the STATE; and the *Kings* followers, the only wise men, that have discovered their cunning Treachery, and the only faithfull men to Religion, his Majesty and Kingdome. Take in then, the *Declarations* and *Protestations*; on the one side, and on the other, and remember, is is not a single charity, whether I shall suspect the King; but first mixt, whether I shall or may suspect the *Kings* followers who can doe any thing with him so farre, as that they may doe contrary to what he saith, and then a distinguishing charity, whether I shall suspect them, who were once (most of them apparently) *Delinquents*, against Religion and the Laws, Or the Publike Watchmen, and the great Councell and Judicature of the Kingdome: who have done so much and with such diligence to save and restore both, and then let Conscience exercise charity as it will answer to GOD, to it selfe to all it's Fellow English men and Christians, and even to the whole World. Thus in generall, now we must examine some particulars.

The Dr. names 4. grounds of feares and jealousy, with which the people have been possessed. All which he first rejects with a gentle comparing of the *Parliament* (who hath set them forth) to the Devil the Arch-accuser. This is his

his charity. In stead of rataliating, I will onely say the Lord forgive thee;

His first ground is [Reports of Forraign Power to be brought in. This, he saith, was given out before the setting up of the MILITIA, to keepe the People amused, the easier to draw them into such a posture of defence as was pretended; and they are all discovered by time to have been vaine.]

REPL. 1. why will he perpetually forget that the King himself granted the Militia necessary to be settled. 2 It was not meerely Forraigne Forces to bee brought in; but Papiests and Delinquents rising at home, that was insinuated a cause of the desire to have the Kingdom put in a posture of defence. 3. Who knows not of the billeting of many thousands of Irish upon us even during the sitting of a former Parliament? The Project of Germans Horse in the Dukes time is it quite forgotten? The Earle of Staffords Councell, not only to bring in his Irish Army consisting most of Papiests, wherewith to reduce this Kingdome, was it not proved by the Oath of a Privy Counsellor present, and confirmed by his own Notes taken at the time, and did not the rest of the advise then given by that Politician, (that the King being now deserted by his Parliament, might doe any act of power (Quare the words in his charge) amount to Counselling the bringing in of any forces from any place? And why must all intelligences after these prevented, bee counted vaine. 4. For is all suspicion vaine, because the thing suspected comes not to passe, when mean are used to prevent it? Is all preventing Physicke Vaine? Is all feare of Pyrates in a Sea voyage vaine, if none assault a well man'd and provided Ship? Was not such a Navy being secured in safe hands, as would under God have made great Forraign Forces repent their comming against the Kingdome; competent reason why those that did mean to come (if they might have had no resistance on the Sea) now thought it too hot a service? 5. But besides the Navy, they had no Landing place, Hull being contrary to the Court-expectation (and attempt as was Noted before) secured by the Parliament, and so might well be the more discouraged. 6. Which is the more considerable, because no sooner had they got a Port-Town, namely Newcastle; but though no Forraign Forces came, who could not be so soon ready; yet Forraign Ammunition came, not a little; and Forces of our Country-men, who served in Forraign Countries, and money too, from Forraigne Princes or People. And what more is comming, if our unhappinesse continue till the Spring, who can be secure?

But for this, if it prove so, the Dr. hath a defence ready. [All Christian Kings (he saith) cannot but thinke themselves concerned in the cause, and it will be as just for the King to use them, against subjects now in arms as it was unjust in the Barons to call in the French against their naturall King;

REPL. 1. The Dr. bestirres himself to make the King strong; (to maintain the Prelacy among other things as himself hath told us) before, in the former Session, he said that they that assist him, doe it according to their Allegiance. So that he intends that all his Subjects are bound by their Allegiance to assist him, and fight against the Parliament (even though their Consciences judge them to intend the conservation of Religion, Laws and liberties, and his followers to intend their subversion.) And here hee calls all Christian Kings, as themselves concerned in the Cause. 2. When the Rebels took Arms according to their Priviledges and Edicts of the Kingdome to defend themselves. And our Protestant or Popish Councillors got 8. Ships to be sent to assist the King of France against them, and in the Low-Country they did the

like too, what will the Dr. say, were all the Christian Princes concerned to assist against the *Rochellers*? It hee doe, the very souldiers and mariners that went into Ships, shall rise up in judgment against him, who when they knew what they went for, utterly refused to fight against their Religion; and so the greatest part of them were set a Shore againe, and the rest went on their voyage, and did the mischief to help beat the *Rochell* Fleet, and give the King possession of the Haven, so as he afterward with the help of the King of *Spain* (so still Princes are concerned against the Protestant:) made a *Barricado* so strong, as when a Fleet from hence after re-Voyage attempted to relieve *Rochell* by Sea, (being then actually besieged by Land) it could not be done. 3. What will the Dr. say to that Voyage to *Rey*, and that to relieve *Rochell*, when it proved too late? Why was not the King still concerned to helpe the King of *France*? or was he? 4. Will it be Just for the King to use Forraign Forces, when to the understanding of Common Readers hee hath utterly disclaimed it in more then one Declaration? 5. What Counsell, would an Enemy to the King and Kingdome (that hath read Stories, and ours in speciall, as the Dr. seemes to have done) give, but the using of Forraign Forces? was not the Kingdome Conquered by this very meanes, by the *Saxons*, when King *Vorteger* was in debate with his Lords and People, call'd them in to assist him? Did not the Turkes so come into *Europe*? and oft the like hath hapened. 6. He counts it damnable, to resist for defence meerly, much more then, as the Barons in *K. Johns* time, to call in a Stranger to make him King: if then to call in other Kings to assist against the Parliament be as just as that, was unjust, it is a high vertue though to the utter endangering of the whole Kingdome, whose Counsellour surely it were pity the Dr. should ever be, who hath no more judgment, or more Conscience, or charity toward the publique good, then to advise and commend such a practise. 2. Next he propounds the *Queens* Religion, as a matter which is urged to cause teares and jealousies. Of which he saith, *It is no new cause.*

REPL. 1. It is true, to the great grief of all that truly love Religion, or wish well to her Majestie, but had others with it otherwise (as the Dr. speaks for himselfe) who have had access unto her, She had not bin told by a great man in the Church, (in the worst season that could be, when it is said Shee had some Pangs about Her Religion and asked of it) that Shee might well be saved in her Religion. Or if any give no credit to this passage, yet it is notorious enough that her illumination hath been so farre from the endeavours of those who might have bin heard by the King and the Queen both, that Ministers have bin check't for praying for Her conversion. 2. But no man hath said, this alone is a sufficient Cause, nor was the Chief cause at the first. It is well known that at the first, and for diverse yeeres Shee carryed her self so, as those that loved the true Religion pitied her rather then severely blamed her, and hoped good of her, if any meanes were used for Her good. But when after some yeeres, a Nuncio from the Pope, was brought over and seeld here, those about her have been more active: and yet more since the *Que* Mother came first over, things have ripened apace, and how farre Her Religion hath beene a Cause of the dangers of *Scotland*, *England*, and *Ireland*, by the countenance of the Popish Party generally, and multitudes of Jesuites and Priests, in Court, City, and Country, any common understanding may judge, that remember specially, what even a *Solomon* did for *Out-Landish Idolatrous wives*, which *Nehemiah* set so home c. 13.

3. The little businesse of her journey into *Holland*, and the great businesse that hath been acted by means of that, is but an unhappy comment or explication, of the justnesse of feares and Jealousies, from her Religion.

4. As for the Doctrines and practises of these Times which the Doctor saith, are not the way to make her fall in love with our Religion and draw her to it. She hath little reason to be offended with them, if she be pleased with the Doctrines and practises of her own Popish Religion; Witnesse the *Parisian* Massacre, the powder Treason; and the present too lamentable rebellion of *Ireland*. Let but that be compared with the worst can be imagined of our Doctrines and practises, and then let her love, which is fairest and meekest?

5. 3. Then he comes to the resort of Papists and his Majesties entertaining them, and *Dauids* example (1 Sam. 22. 2.) toward *Ziba* is alledged to justifie it.

Rep. 1. But the Dr. forgets that the time before the Parliament, the Papists and popish party had undeniably made an inrode upon our Doctrine, publike Worship, Laws and Liberties; and against them in speciall was the *Militia* desired to be settled by people and Parliament. And after all this, upon a difference about the *Militia*, to employ them against the Parliament sooner or later, is an example beyond example; and beyond the power of words to take off the exception. Suppose a Woman suspected of incontinence: (And Popery is spirituell whoredome) should take to her selfe the parties with whom she were suspected to be her servants the better to defend her honour, were this a way to cleare her selfe? Or a Captaine to take in Forces to defend himselfe, having been challenged that they had a designe to ruine his Army or Castle? 2. What charity can stretch it selfe to beleve, they intend to assist the King in maintaining the Protestant Religion, and the Laws against themselves, which yet his Protestations proclaime? Surely some about him, must needs give them other assurance, or they would not be so mad, as to fight for their own suppression, and their Adversaries promotion. 3. But if they be so good subjects (as the Dr. maintaines) and helpe the King in such an extremity, must they not be counted to deserve a great reward, and what can that be, but *Ziba*-like, to divide the Land? A Tolleration at least they must needs expect, if not indent for, or be promised. 4. Or, if they be strong enough to overthrow the Parliament, will a division content them? Will they not be able to command King and All hence-forward? (N. B.) If Protestants charity can be so fortifish, by this Doctors delusions, as to trust to their faire dealing with Religion and Laws, when the Parliament is by their force ruined, they deserve no other pittie then a bewitched or distracted Man, who is not afraid of Fire nor Water, but let Straw or Gun-powder lye neare the one, and pulls up floud-gates to give the other passage. 5. *Dauids* followers 1 Sam. 22. 2. were far from Popish qualities. The Text describes them thus, [Every one that was in distresse, and every one that was in debt, and every one that was discontented, bitter of soule:] Here is not a word of all this, that signifies them to be wicked. A faithfull Man may be in distresse severall wayes; he may be in debt, through Gods hand upon him, not his mispending; and not able to pay, but willing if he were able, and resolved when he should be able: and may be bitter of soule, through oppression, &c. So that though in likelihood among so many there were some vicious; Yet here is nothing to affirme, that they came as vicious, but as afflicted. 6. Had any of them been Idolaters (as Papists are) had they been of confederacy with the professed enemies of Gods true Religion and people, and so known, then *David* had been too blame to have entertained them; (and *Saul* would have been sure to have laid it to his charge.) Neither could he ever have purged himselfe so long as he had made them his Guard, that he meant to be faithfull to God and *Israel*: And specially if *Saul* had before excepted against such Men as treacherous. This is the Case now, The enmity of Papists, by their very Religion, against ours, our Parliament, and Protestant people, is known to all the world, that understands any thing. The Parliament hath often and often declared

their feare of them these two Yeares, and in reference to the setting of the Militia, that so their designe on the Kingdome might be defeated. The King protests, not to owne them nor their helpe. Yet things all along since the first discontents, are still acted as they could wish, and did and doe applaud. And now after all this, to take them into the Armies, and imploy them against the Parliament, is as far from *Dauids* fact in entertaining his Troopes, as their designs against the Parliament are far from his against *Saul*. 7. It is true indeed, that professed Papists were not actually entertained at the first; it had been too grosse for them to have appeared at the first, specially in any number; and would have raised all the Kingdome against them. The Ice therefore must be broke by others first; and by Court-converts; Of whose Religion the Priest that had lately written on the subject, (on which Dr. *Featly* had animadverted,) hath given a faire warning, sufficient to startle any man almost. To which purpose, let me adde a word of a Booke I have seen, cal'd *Jesuitica Negotiaria*, printed neare 20 Yeares since by Order of the States of *Friseland*; which contains Instructions (surprized) of the Jesuites, toward the Conversion of the united Provinces: Among which this was one, [That whosoever they could convert to the Romish Religion, should be still allowed to profess the Protestant Religion, and keep any Office or place he was poss: of; and give sentence against any Papist, or Priest, or Jesuit, according to his place, even sentence of death, if he could not avoid it: Onely with two cautions. 1. That he should be as favourable as was possible. 2. That he should give timely Intelligence of any severe sentence.] Let now charity judge, what circumspection almost can suffice against such a generation of Men? Or what jealousy can be too much of them that still profess this treacherous Religion? And yet all this notwithstanding, at last to have even professed Papists taken in against the Parliament: Can this be without a designe in them that have counselled the King to it? Was it not in a prudent fore-sight, that they should be cal'd and admitted to helpe, that the Papists have no where been plundered by the Kings Army, though others have, who held not with the Parliament? 8. As for *Ziba*, *David* knew not his treachery at the first, and his lyes had so blasted honest-hearted *Mephibosheth*, that it appeares, *David* did scarcely beleve his apology for himselfe: Otherwise (what ever may now be said of his credulous charity to *Ziba*, to the prejudice of one that was not present to answer for himselfe) it was none of *Dauids* good deeds (to be imitated,) to recompence a flattering Sycophant (that had brought him a present, in a hard time indeed,) with so large a share in *Mephibosheths* estate, When by the Law of God, he was to dye for his false accusation of Treason, as *Mephibosheth* had deserved death had it been true. But now our Papists are knowne to be Enemies to the Parliament (as was laid before,) and some of their Party in the Country sticke not to say, that the Parliaments Intentions of rigour against them, already sawed by the executing of so many Priests and Jesuites. Men of tender consciences; is one part of the Court-quarrell against them. They are more like *Doeg* then *Ziba*, who first accused the Priests, and then readily undertooke the execution of a most cruell sentence, and executed it with all cruelty. But *Psal.* 52. Reads their doome. And *Psal.* 54. 4. Sutes the *Ziphims* too, those of *Dauids* owne Tribe, that came and discovered him to *Saul*, 1 *Sam.* 23. 26: once and againe, and so incensed him afresh against him; Though *Saul* blesses them, (1 *Sam.* 23. 21.) as his speciall good subjects that had compassion of him. Conscience must now judge, whether the Papists being favoured, were any cause of the resistance now made; or only the resistance now made was the cause, that they were admitted to helpe the King in his distresse. 9. But for the Dr. to honour them with the Title of good subjects, preferring them before the Parliament, and to great a part of the Kingdome as visibly adhere to them, is one of the highest reproches.

ches that ever was belicht out against them; enough for a Jesuite or a Pope to have said. But the Dr. (how ever he pretend modesty oft-times, and respect to the Parliament,) stabs them as desperately, as any enemy could doe now and then: While he seemes also resolved to justifie all that hath been done against them, else he would have been silent in this peece, and the next that followes about *Ireland*. 10. In the meane time, because he upbraids, with a scandall that this resistance brings on our Religion, which (saith he) would not be easily wiped of, were it to stand or fall by the doctrines of this giddy age. I must needs make bold to tell him, that he forgets himselfe strangely, and the Doctrines and practises of our Religion, when he can scarce name that Country, where there are any Protestants, that have not taken Armes to defend Laws and Liberties, and with them Religion, (even though not before allowed by Laws.) *Sweden, Germany, France, The low Countries, Bohemia, Scotland*. And did not *Q. Elizabeth* of blessed memory, assist them in *France, Holland and Scotland*? and *K. James, Holland*, and at least owned the cause of the *French*, though he only sent Ambassadors? and *K. Charles* did send to aide *Rochel* (as I noted before) and owne the Prince of *Orange* sufficiently, who yet is Rebell Generall against the K. of *Spain*, if our Parliaments resistance be Rebellion. Indeed, we in *England* are the last; and above all other Nations have been by the Court Doctors within this 40 Yeares, much prepared to suffer any thing rather then resist, (Yet Bishop *Bilson* in the Queens time, was suffered to averre that the States of a kingdome might resist, *vide*) But it now above all other times, grieves; that we offer to doe what all others have done before us (upon a great deale lesse Authority; considering our Parliament continued by Act, and its power granted by the King, as I have noted before, against all delinquents:) For if they could have subdued and swallowed us up, the other Protestants in other Countreies would much more easily have been devoured.

4. The last Allegation, is concerning the businesse of *Ireland*. Of which because the Dr. saith the King hath written enough, he had done wisely to have written nothing but that word. Though I have not yet been so happy (who would be glad to see it) to meet with any Answer to the last Peece of the House of Commons, which reckons so many particulars of wrong done to that poore Kingdome. (Therefore till I meeete with that, I must needs tell the Dr. he saith not enough to cleare the businesse, nor the Kings Councillours in that businesse. For whereas his whole defence is in a word,) that the Kings necessity, made it lawfull to make use of any thing intended for their releefe, which he parallels by the Necessity that excused the *Scots* comming in hither. To this divers things may and must be replied. 1. The *Scots* are no parallell for this carriage toward *Ireland*. Their coming (if what ever the Dr. affirms) brought no such great detriment to the Inhabitants there, if you except their professed enemies, Papists and Prelates, as the poore Souldiers and other Protestants of *Ireland* have suffered by the actions done concerning them. 2. The King and Parliament have justified by Act of Parliament, their coming, as necessitated; Yet they were proclaimed Traitors againe and againe, and it was counted necessary to make War against them one year, and a second, as now against the Parliament. The necessity then that is now pretended by the Kings party, wants a great deale of the justification that the *Scots* have had before all the world, specially remembring all that was noted before, of the doings of the Kings followers, before ever the Parliament did any thing but Petition. 3. Which necessity by them pretended, if it appeare a necessity, by themselves made, will it not make their actions concerning *Ireland* more horrid, and proclaime the designe to be more rooted. 4. But it must by no means be forgotten, what hath been pretended for *Ireland*, to which these actions are most contrary. 1. When the King rode Northward, and the Parli-

ment more then once represented that it would greatly prejudice *Ireland*, The King protested still it should not; but he would be as ready to doe all things for *Ireland*, as if he had stayed at *London*. 2. When he had been at *Hull*, and demanded of the Parliament justice upon *St. John Hotham*, he declared, he would doe no business till he had satisfaction in that, except only the business of *Ireland*. 3. A few dayes after that, he would in all haste goe over in Person to subdue the bloody Rebels, and venture his Royal Person to recover that poore Kingdome. Who now almost can beleieve his Eares or Eyes, that any thing should be done to the prejudice of *Ireland*. 4. If the dates be observed of some of those things mentioned in that Answer of the House of Commons, they will be found done, before the Parliament had done any thing more toward their own defence, then when that profession was made after the Kings being at *Hull*, & when the King would have ventured himselfe to goe into *Ireland*. 5. It is strange that the punishing of *St. John Hotham*, and the suppressing the *Adulteries*, the recovery of *Hull* and the Magazine, which at last (after many other Declarations perswading of no intention at all of a War against the Parliament) the King declares he would loose his life, but he would obtaine, and this (I think, *Quare*) before there was any one man listed for the Parliaments defence; should be thought a necessity allowing any retarding, much lesse disappointing the crying necessities of *Ireland*, after such Protestations of care for it. 6. If the Parliament be not only, not so good subjects, as the now entertained Recusants, but unlesse they be worse then those horrid Rebels, (of whom some of the Kings Declarations speake with dejection enough;) while the Parliament protests before God and the Kingdome, and the world; that they have no Thoughts nor Intentions but loyalty to the King, and faithfull to the Religion and Kingdome, and the Popish bloody Rebels, who one while avouch they have the Kings authority for what they have done, another while seeme to renounce him and to intend a new King; But alwayes profess to intend the extirpation of the *Brittish* Nation, and Protestant Religion in that Kingdome, and then to come over into *England* to fight against the Parliament and Puritans and Protestants here: If I say the Parliament be not worse then the *Irish* Traitors, it is a prodegy, that any necessity can be thought sufficient to doe such and so many acts as that Declaration of the House of Commons mentions, or almost any one of them; to the woefull prejudice of that bleeding Kingdome, and great encouragement of the bloody Rebels. It would be too long to insit on every particular, which if a man would Rhetorically (and but justly) amplify, he might astonish all men, how the former Protestations and those actions could agree, and what necessity could be pretended for some of them, as entertaining *Irish* Rebels, &c. (*vide*) 7. Unto all which, adde but this as a corollary, that the whole is a most unhappy verification of that which at the first breaking out of the Rebellion was related as spoken from the Rebels, that they had a considerable Party in *England*, in the very Parliament, and the Court; and that they doubted not but to find us so much work at home, as we should have no leisure to send succours to the Protestants there (Nor can I forget, what I heard a few dayes before the *Irish* Rebellion brake out, that a Steward of a Popish great Lord, dissuading a Churchwarden from obeying the Order of the House of Commons, about taking away Idolatrous Pictures, &c. Bids him not be too halty, for before a Moneth were at an end, he should see great alteration, and so it appeared, though blessed be God, not yet to the full of their hopes.)

Lay now all these things together (which the Dr. hath instanced in, and forced this descent upon) with those in the former Section, and then let all consciences exercise their most unpartiall judgement, and most ample charity, and then suspect in whom the designe

signe hath bin and is, which hath necessitated the other party to take Armes, to defend themselves; and then let them say *Amen*, to an Application of two Stories of Scriptures, one of *Joab* to the men of *Shechem*, *If you have done faithfully, &c.* then rejoyce, and let your party rejoyce; but if not, then fire come forth and devoure, &c. The other of *Solomon*, concerning *Abner* and *Amasa's* blood, *let it rest on the head of Joab, &c.* but upon *David*, and upon his house, and upon his Throne, *let there be peace from the Lord for ever*; and let I say, all that love God, and the King, and Justice, and Truth say, *Amen*.

But the Doctor will have us consider what the King hath done to exempt these scruples of feares and jealousies from the peoples minds. Which in summe are the passing of Bills this Parliament; and protestations for Religion, Priviledges of Parliament, Laws and Liberties. For the first of these, what are they worth, in ill times; and under ill Judges (if once the *Militia* and the *Navy* be surrendered, and this Parliament dissolved) what did *magna Charta*, the *Petition of Right*, *Articles of Religion*, serve to prevent all the illegalities and innovations upon Church and State before this Parliament; or what did all the Laws and Priviledges of *Scotland* serve them for? If suspected Councillours and followers be still about the King and favoured by him, where shall be a security to take away these feares. Also for the other, What have Protestations prevailed to prevent former danger. That unparallel'd danger to the House of COMMONS, and the whole Kingdome, by his coming into the House, with such Followers waiting at the doors, so weaponed, so behaving themselves and speaking then and since, was it not the very day after his Message, denying them the Guard they desired, and protesting toward the close [*We do ingage unto you solemnly the word of a King, that the security of all and every one of you from violence, is and shall ever be as much Our care, as the preservation of Us and Our Children.*] And how did all men judge (that beleaved the Protestations set out at *Yorke* a while) that no war was intended against the Parliament, till some strength gotten, as was noted before, under the name of a Guard out of *Yorke-shire*, and more endeavoured by Agents in severall parts of the Kingdome, and hoped for from beyond Sea, altered the language and the face of things, till it came to the present extremities. Also whatever the Doctors Informations were at the time he was penning his clause of applauding the Kings excellent moderation amidst the pressures and extremities of warr, shewing what respect he hath to the Property and Liberty of the Subject; whosoever remembers what all (but wilfully ignorant, or altogether carelesse) know of taking away armes from the Countries along to *Chester* and backe afterward, the plundering of *Banbury* (notwithstanding the Kings promise to the contrary) and *Abington*, *Reading* (but most specially *Brainford*) and *Kingston*, though helping them in, and having promise of all favour, and then at *Marlborow*, and great cruelties to those that were led away Prisoners, and this since the Kings Proclamation against plundring; and since that *Newbury*, and many other Townes formerly, and of late in *Bark-shire*, *Oxford-shire*, *Surrey*, *Buckingham-shire*, will have little cause to believe the Doctors intelligences; or assurances, that all protestations that come in the Kings name may be trusted. And whereas he urges, that we may not raise an evil thought against the King, *Eccl. 10.* What shall we say to those men, unlesse that of *David* concerning *Sauls* Councillours, *1 Sam. 24.* That at least they deserve to be accused, that force men either to distrust or to suffer ruine, because they have power and will to breake that which we would trust the King in, most gladly and desiredly, if he had no such men about him. I have no desire nor will to prosecute particulars further: But the Doctor abuses his Readers to cast an oblique aspersions, as if the Parliament had any thoughts of contending for a new frame of Religion, which deserves no answer, so grosse a slander it is. And then adly to insinuate plainly that the 19.

Propositions were urged, as so necessary, as unles they were granted, the Kingdom must be imbroyled in a civill warr, and the reliefe of *Ireland* neglected. The fore-named Petition by the Earle of *Holland* clears that sufficiently, and the Petition too, that the Earle of *Essex* should have presented or sent, but the King would receive none from him.

The rest of the *Doctors* book is but recapitulations & Rhetoricall of what he hath said before (and an Answer to the instance of *Libna's* revolt, which I will be no justifier of, because so little is said of it in Scripture.) To which I have only these things to adde.

1. Though *Abfalom* (which he mentioned before, and I slipt) did falsly calumniat *David* (what ever petty neglect might be in some officers) as appears by 2 *Sam.* 8. & 1 *Ch.* & so being a comly person which takes much with the multitude, & a strange flatterer of all that came for Justice, what ever their cause were, 2 *Sam.* 15. and the heire apparant of the Crown, might invegle the people into a Rebellion: Yet neither is this any thing like to the causes of complaint or suspitions, that we have had and have still; nor yet is there any probability, that a people justly governed should by Parliamentary Declarations be armed against their King: As besides all other Arguments appeares, by the small assistance of armed men, any Country hath yeilded to the Parliament, even where they think them in the right in the cause, and themselves too in danger to be plundered.

2. If the *Parliaments* actions in all things about their defence cannot be excused or justified (specially by those that see not the whole of their actions, and much lesse the reasons of them) yet their consciences, that see the justnes of the action for the main, of defence; and grounds to believe their Protestations of their intentions in the defence, are not bound to be Neuters, much lesse to assist the King against them, because they are not or cannot be satisfied in this or that particular. For then scarce any warre might lawfully be joyned in.

3. In speciall, for the sufferance of so many Sects to vent their doctrins with such liberty, and to commit unsufferable out-rages upon the worship of *God.* 1; Hath not the *Parliament* declared against *Brownists*, *Anabaptists* in the first Remonstrance. 2. Have not some Sectaries bin punished? as he that made the new Creed, was he not imprisoned? 3. How many scandalous and innovating Ministers have bin complained of, and yet few of them questioned and those not fully censured (scarce one by both Houses) the Doctor will not lay to their charge the suffering of such: which yet he may with more reason, as being offenders of longer continuance and more danger. 4. The truth is, partly the multitude of offenders at first complained of, and partly for neare a yeare and an halfe of late, their owne extreme danger by the Malignant parties getting strength, since the *Irish* rebellion broke out, and so multitude of busineses over-whelming them, have hindred that Justice, which else those Sects and out-rages (the Doctor mentions) would have found, and may yet in due time, if legally proved. 5. And if he will say, some speciall men favoured them in the very Houses, he cannot say more then may be made good of others favouring *Superstitions*, *Arminianisme*, *Socianisme*, and even Popery it selfe. Yet this were most unjustly charged upon the Body of either House, and much lesse on both. And when it shall please *God*, that the *Consultation of Divines* shall meet (for which they have more then once passed the Bill for his Majesty to confirm) it will I doubt not appeare to all the world, that they never ment to suffer any such opinions or practises, as are truly dishonourable to the true *Reformed Protestant Religion*: as even in the mean time, the *Orthodoxisme* and *Moderation* of the Members of that *Assembly* (generally) known to all that know the persons, may be a sufficient pledge; among them all, there being very few, that are liable to any pretence of exception for Sects; and perhaps none at all, for countenancing any such out-rage, as the Doctor cries out upon. 6. In fine, the worst of the *Parliament* (char-

(charged upon them with any shadow) in matter of Religion is but omissions or delays, which are but Meats to the beames which the Doctor overlooks in their Adversaries, of old and still. Who have made stables of Churches, but they? Who have burned and troden under foot Bibles, but their *Parisians* of Ireland? Not to insist on their horrid blasphemies (which if *Gods* word be true, as they will one day find it) makes our Land groane and mourne under them. If a conscience comes to weigh these in the ballance with the Parliament; let it, if it dare, be charitable to the Cavaliers and their Army, so as to believe, Religion is like to be defended by them, when the Parliament intends to ruine it. I will say no more to the Doctor but this one thing, that a sober conscience that peruses his whole Treatise, will wonder what kind of conscience his is, that Rhetorizes so for charity on the one side, and wholly neglects it on the other; telling us more then once, that though we lay downe our lives for our Religion, it is nothing, if we have not the charity he calls. While himselfe with all confidence, charges the *Parliament* with many grievous faults against Religion, Allegiance, Lawes and Liberties, and Liberties, and discredits all their Protestations and Declarations to the contrary, as if he thought, that as his great Text, *Rom. 13.* speaks only in his conceit of Monarchs; so *1 Cor 13.* related also to them only. No resisting that higher power, but all charity to him, what ever he doe or say. But as for the *Parliament*, their power is of no regard. They may be resisted at pleasure, and their words and actions deserving no charity, or challenging none. Consciences will judge (and may without breach of charity) how charitable or true these interpretations and imputations be. And so I have done with him.

If any other now aske me, why it is not as fitting easie to put off all imputations from the *Parliament*, and lay it upon a Faction there (as the Declarations in the Kings Name use to doe) as it is for the *Parliament* to put off all from the King to his Councillours and Followers. I answer in a word, the Law commands the one, and Reason gives a faire ground for it. The King is but one; and so if those about him, fill his head with strange Doctrines in Religion, and Maximes or interpretations of law, and with strange relations in matters of Fact, and answerable suggestions, unless he were a Prophet or an Angel, he can hardly avoid false opinions and errors in government. Himselfe tels us in the fore-cited answer to the 19 Propositions, of surreptiously-gotten commands from a King, by followers and favourites against the Law, which he is bound to protect when he knowes it. Therefore according to our Law, *The King may be mis-informed; but he cannot be mistaken, and the King can doe no wrong, because it supposes he doth nothing but by Advice of his Councillours in matters of State, and Judges in matters of Law.* Therefore he grants the Commons may impeach such Favourites and Followers of his, and then the Lords are to judge and punish them. Would this have bin suffered, or would it yet; the *Parliament* and he would soon accord. But they get him to let them lay all upon him, which themselves say and doe; and this hazards our undoing. We would not charge or distrust the King: We dare not, must not (unlesse we meane to be ruined) trust or discharge his Councillours. But we hope and pray that *God* will blesse him so at last, as that those being taken away from before him. (or rather being yeilded up by him) as dross from the silver, his Throne shall be established in righteousness, Majesty and Honour. Meane time we proclaime, they injury him, and us, and the law, that interpret what is said or done against the multitude of his Followers and Army, or any of them, though sheltered by his Name and Presence, as done against him. On the contrary side, the *Parliament* is a numerous Body, where each one Votes single, and it must be a *Major* part that carries any thing; and there is no other sense of a *Parliament* in Law and Reason, then the *major* part at least. Therefore the Votes, and Orders, and Declarations that come (as all

doe.

do) from the *maior* part, cannot belesse then the Votes of the *Parliament*, themselves, the Counsellors & Judges, and have none on whom to discharge any imputation. So that unless a *Parliament* can be a Faction (which in our Law is a meer contradiction) it is impossible, that a Faction can carry things there; or what is there done can be so put off, and the *Parliament* discharged. I conclude then, a King may be charitably believed to meane well, as he protests, only to be mis-informed and abused by wicked Counsellours. But the *Parliament* cannot be (is not) well thought of by charity it self in it's highest perfection, if the *maior* part vote and act evill things. The *Parliament* is then the offender before God and man.

For conclusion of all. Let me adde 5 or 6 Qualifications or Cautions upon the whole matter. 1. All Governours, Supreme specially, have somewhat of Prerogative, beyond written or expresse Lawes. But this to be used for the Subjects good not hurt. 2. A Christian, though able and innocent, is not to resist all injuries, done to him in his Estate or person, no not by private persons, much lesse if done by the command of Governours, specially of the Supreme. Christian meeknes requires the one, and Christian subjection the other. 3. An open and publike resistance by armes, is the last Refuge under Heaven, of an oppressed, and endangered Nation. Many injuries are to be let passe, while appearing but personall, not politicall, or designed as presidents. Jealousies are not to be suddenly taken up, nor too deeply taken in: And all possible means of redresse and satisfaction is to be endeavoured before this course be taken. 4. If Lawes doe injury, they must not be resisted, unles they command undeniably against God, and not only so, but threaten extreame extremity. 5. Whatsoever injury happens to be done to innocent persons, is to be recompenced as speedily and fully as may be. 6. A Peace is to be imbraced, desired, pursued with all faithfullnesse; so it may be but rationally safe, and not betray to the misery, which war was undertaken to prevent or remedy. 7. The Nation (and Parliament) that is put to this necessity of a warr must acknowledge Gods just and heavy displeasure, which so threatens them, so endangers them; and therefore must before all, and in all, and with all, humble themselves most unfainedly to God, and seeke to make their peace with him, and thus may hope He will blesse their Arms and desires of peace, with sufficient victory and a peacefull and happy Conclusion in due time. Which the Lord of Hosts and God of Peace, may doe for us (as He will for all His.) I shut up all with that Prayer and Prophesie, *Psal. 125. 4. 5. Do good O Lord to those that be good: and to them that are upright in their hearts. As for such as turne aside to their crooked wayes, the Lord shall leade them forth with the workers of iniquity: but peace shall be upon Israel. Amen, Amen.*

F I N I S.